SUPPLEMENT TO VOL. III.

PUBLIC PAPERS.

PAPERS *relating to the Negotiations carried on between Great-Britain and France, between the conclusion of the Treaty of Amiens, 25th March, 1802, and the recal of Lord Whitworth from Paris, 12th of May, 1803, including divers Papers from the English Ministers at the Hague, Berlin, Vienna, St. Petersburgh, Copenhagen, and Hamburgh; to which is added, an* APPENDIX, *containing offensive Papers, published by France, &c. &c. Laid before Parliament, by his Majesty's command, on the 18th of May, 1803.**

London, May 23, 1802.

No. 1.—*(Translation.)*—My Lord, The 10th article of the treaty of Amiens, which fixes the new organization of the Order of Malta, having prescribed various measures, to the execution of which it is necessary that the two principal contracting powers should concur, the First Consul has named General Vial as minister plenipotentiary to the Order and Island of Malta, for the purpose of concerting with the person whom his Britannic Majesty shall appoint for that purpose, respecting the execution of the arrangements agreed upon in the late treaty. General Vial will set out on his destination as soon as your excellency shall have informed me of his Majesty's intentions, and of the choice he may make. I have the honour to be, &c.

Lord Hawkesbury, &c. &c. OTTO.

Downing-street, May 24, 1802.

No. 2.—Sir, In answer to your letter of yesterday, in which you communicate to me the nomination, by the First Consul, of General Vial to be minister plenipotentiary of the French Republic, to the Order of Saint John of Jerusalem; I have the honour to inform you that the King has been pleased to appoint Sir Alexander Ball to be his Majesty's minister to the Order. Sir Alexander Ball will shortly proceed to Malta, and will be instructed to concert with General Vial the necessary measures for carrying into effect the arrangements relative to that island, which are stipulated in the 10th article of the definitive treaty of peace. I have the honour to be, &c. HAWKESBURY.

M. Otto, &c. &c.

No. 3.—*Extract of a dispatch from Lord St. Helens to Lord Hawkesbury, dated St. Petersburgh, April 23, 1802.*—I hope very soon to be enabled to re-dispatch your lordship's last messenger with the answer of this government to the communications which I have made to them, in obedience to his Majesty's commands, respecting the 10th article of the treaty of Amiens. In the mean time I must not conceal from your lordship, that there is great reason to fear that his Imperial Majesty will decline taking part in the proposed joint guaranty of the possessions and new constitution of the Order of Malta.

No. 4.—*Extract of a dispatch from Lord St. Helens to Lord Hawkesbury, dated Petersburgh, May 7, 1802.*—I have reason to hope that the first impressions that have been produced here by certain parts of the arrangement relative to Malta, have been removed, and that his Imperial Majesty may even be ultimately induced to guaranty the whole of that arrangement; provided that the steps which have been taken towards the election of a new Grand Master, according to the mode suggested by this court, be considered as fulfilling what is required on that head by the latter part of the paragraph of the 10th article of the treaty of Amiens; and consequently that no new election for that office is to take place in the manner pointed out by the former part of the same stipulation.

Downing-street, June 5, 1802.

No. 5.—Sir, I informed you in my dispatch No. 10, that M. Otto had made an official communication to me, that General Vial was appointed by the First Consul minister plenipotentiary to the Order of St. John of Jerusalem. Sir Alexander Ball has been in consequence invested with the same character by his Majesty. He will proceed immediately to Malta, and he will receive instructions to concert with General Vial the best means of carrying into complete effect the stipulations contained in the 10th article of the definitive treaty. By the paragraph marked No. 1, in that article, it is stipulated:—" The Knights

* The *Messages* to Parliament, the divers *Proclamations, Declarations, Instructions*, &c. &c. relating to this subject, will be found under their proper heads, by referring to the Table of Contents, at the head of the present volume.

" of the Order, whose langues shall continue " to subsist after the exchange of the ratifi- " cations of the present treaty, are invited " to return to Malta as soon as that exchange " shall have taken place: They shall there " form a General Chapter, and shall proceed " to the election of a Grand Master, to be " chosen from amongst the natives of those " nations which preserve langues, if no such " election shall have been already made " since the exchange of the ratifications of " the preliminary articles of peace."——The object of this paragraph was, that in the event of an election having taken place subsequent to the exchange of the ratifications of the preliminary articles of peace, and antecedent to the conclusion of the definitive treaty, that election should be considered as valid; and though no mention is made in the article of the proclamation of the Emperor of Russia, soon after his accession to the throne, by which the Knights of the Order were invited to assemble, and to proceed to the election of a Grand Master, the stipulation in question evidently referred to the contingency in consequence of that proclamation. You will inform the French government, that his Majesty is ready to consider the election which has lately taken place at St. Petersburgh, under the auspices of the Emperor of Russia, to be valid, according to the stipulation in the 10th article. His Majesty has no other object in the whole of this transaction, than that the 10th article of the treaty may be fairly executed; and that the arrangement may be carried into complete execution with as little difficulty as possible. As the 13th paragraph in the 10th article stipulates that the governments of Austria, Russia, and Prussia, should be invited to accede to the arrangements respecting Malta, it is desirable that the French government should instruct, without delay, their ambassadors or ministers at Vienna, Petersburgh, and Berlin, to make, conjointly with his Majesty's ministers at those courts, an official communication, desiring the accession of those powers to the arrangements relative to Malta in the definitive treaty; by which it is provided, that the independence of the island, and the other stipulations, shall be under the guarantee of those powers, in conjunction with his Majesty, the French government, and the King of Spain. I have the honour to be, &c. HAWKESBURY.

Anthony Merry, Esq. &c. &c.

No. 6.—*Extract of a dispatch from Anthony Merry, Esq. to Lord Hawkesbury, dated Paris, June* 17, 1802.—I have now the honour to transmit to your lordship, inclosed, copy of an answer which reached me last night, (though dated eight days back), from the French minister, to the note verbale which I delivered to him, containing his Majesty's propositions respecting the execution of some points of the arrangements relative to Malta, contained in the 10th article of the definitive treaty of peace. You will find the entire acquiescence of this government to those propositions, expressed in a very satisfactory manner.

(Inclosure referred to in No. 6.)—His Britannic Majesty's minister plenipotentiary has the honour to transmit herewith to Citizen Talleyrand, minister for the foreign affairs of the French Republic, the " note verbale" of the communication he has been ordered to make to him by his government, who are desirous that the proposals it contains may be acceptable to the French government; and they may be assured, that the British government, in making these proposals, have no other object in view than to facilitate, in the easiest manner, the execution of the treaty of Amiens, and to act in this respect in perfect harmony with the French government. Mr. Merry has the honour to renew, on this occasion, the assurances of his high consideration for M. Talleyrand.

Paris, 8th June, 1802. ANT. MERRY.

The citizen minister for foreign affairs will find inclosed a list of suffrages obtained from several priories of the Order of St. John of Jerusalem, for the election of a Grand Master, which has been received from St. Petersburgh by the British government, with the notice that these priories have agreed amongst themselves, that his holiness the Pope shall select (pro hac vice), from amongst the candidates therein specified, the person who is to fill the post of Grand Master. His Britannic Majesty on his part is willing to consider an election so made as valid, according to the stipulations of the 10th article of the treaty of Amiens. His Majesty, therefore, is ready to acknowledge, in quality of Grand Master, the person whom the Pope shall think proper to fix upon, from amongst the names contained in that list. His Majesty has no other end in view in this, than to see the 10th article of the treaty of Amiens duly fulfilled, and the arrangement it contains executed with as little difficulty as possible. It is stipulated by the 13th paragraph of the same article, that the Austrian, Russian, and Prussian governments, shall be solicited to accede to the said arrangement. The British government is of opinion that it might be proper for that of France to send, without delay, instructions to their ministers at Vienna, Petersburgh, and Berlin, to make conjointly with his Britannic Majesty's ministers a communication to those powers, in which they should

be invited to accede to the arrangement respecting Malta, by which the independence of the island, and the other stipulations relative thereto, are placed under the protection and guarantee of those powers, conjointly with their Britannic and Catholic Majesties, and the French Republic.

Translation of Note referred to in No. 6.—The undersigned, minister for foreign affairs, has the honour to transmit to M. Merry, his Britannic Majesty's minister plenipotentiary, his answer to the note verbale which he addressed to him on the 8th Prairial. He doubts not that his Majesty's ministers will see in this answer a new proof of the constant dispositions of the First Consul to come to an agreement with the English government, for the securing and facilitating the excecution of the respective clauses of the treaty which has re-established peace between the two states. The undersigned has the honour to renew to M. Merry the assurance of his high consideration.

C. M. TALLEYRAND.

Paris, 20th Prairial, Year 10.

[The minister for foreign affairs of the French Republic has received the communication which has been made to him by his Britannic Majesty's minister plenipotentiary, of the list of the candidates nominated by the votes of the different priories to the Grand Mastership of the Order of Malta; and he has submitted to the First Consul the proposal concerted between the priories of the Order, and approved by his Britannic Majesty, of submitting (pro hac vice) to his Holiness the choice among the proposed candidates. The First Consul has no other object in whatever relates to the Order of Malta, than to see the 10th article of the treaty of Amiens duly executed, and to remove all the obstacles which might render that execution tardy or difficult. He moreover desires equally with his Britannic Majesty, that France and England should act in concert, in order the better to secure the independence and the organization of the Order of Malta. He therefore consents that the choice of its Grand Master, from the candidates proposed by the votes of the priories, should for this time be submitted to his Holiness. As to the 13th paragraph of the same article, respecting the accession of the powers, the First Consul thinks with his Britannic Majesty, that the powers should be invited to give their consent to the arrangements agreed upon; and the French ministers at the courts of Austria, Russia, and Prussia, shall consequently receive orders to take, conjointly with his Britannic Majesty's ministers, the necessary steps for obtaining the accession provided by 10th article of the treaty of Amiens.

Paris, 10th Prairial, Year 10.

Paris, June 4, 1802.

No. 7.—My Lord, I had occasion to see M. Talleyrand yesterday afternoon, for the purpose of introducing to him, by appointment, some English gentlemen, previously to their presentation to-day to the First Consul. Having gone first alone into the minister's cabinet, he said, that he had been directed by General Buonaparté, to represent to me several circumstances which stood very much in the way of that perfect reconciliation and good understanding between the two countries and their governments, which it was the First Consul's sincere wish to see re-established, in order that such obstacles might be removed before the arrival in London of the French ambassador; because, although the circumstances in question had already produced a very disagreeable effect, whilst only M. Otto, as minister, had to witness them, they would acquire a great addition of force if they should still exist when the ambassador should be present; and since the First Consul had given orders for General Andréossy to proceed to his destination with as little delay as possible, he wished that I should take an early opportunity to give an account to your lordship, of the observations which he was charged to make to me. After a preface to this effect, M. Talleyrand proceeded to state to me, that the accounts which M. Otto had transmitted to me of the disgust and inconvenience which he could not but feel and experience at meeting frequently at his Majesty's court, and at other places, the French princes, and some French persons still decorated with the insignia of French orders which no longer existed; and at seeing the countenance and support which continued to be given in England, to what he termed the ci-devant French bishops, as well as to other persons (he here mentioned Georges) inimical to the present government of France, had affected so strongly the First Consul, and were in fact so calculated to prevent that system of cordiality which he was anxious to see established, that it was incumbent upon him to express his wish, that his Majesty's government might be disposed to remove out of the British dominions, all the French princes and their adherents, together with the French bishops, and other French individuals whose political principles and conduct must necessarily occasion great jealousy to the French government. He continued to observe, that the protection and favour which all the persons in question continued to meet with, in a country so close a neighbour to

France must alone be always considered as an encouragement to the disaffected here, even without those persons themselves being guilty of any acts tending to foment fresh disturbances in this country; but that the government here, possessed proofs of the abuse which they were now making of the protection which they enjoyed in England, and of the advantage they were taking of the vicinity of their situation to France, by being really guilty of such acts, since several printed papers had lately been intercepted, which it was known they had sent, and caused to be circulated in France, and which had for object to create an opposition to the government. I cannot, my lord, do better than refer you to what you will have read in the French official paper of the day before yesterday, under the article of Paris, for the exact text of M. Talleyrand's discourse upon this subject; which he concluded by saying, that he thought the residence of Louis XVIII. was now the proper place for that of the rest of the family, and that I might add this suggestion in my report to your lordship. I answered the French minister, that without any reference to you, I could assure him, that the practices of the French residing in England, of which he complained, had not been encouraged, nor would be countenanced by his Majesty's government; which was as sincerely disposed to cultivate harmony and a good understanding between the two countries, as he had represented the First Consul to be; but that I could by no means say how far they would be disposed to adopt the measures which he had intimated to be General Buonaparté's wish that they should pursue, in order to remove so effectually, every thing which might not perhaps be considered equally by them, as giving just cause of offence or jealousy to France. M. Talleyrand did not rejoin upon the matter; but asked me when I proposed writing. Upon my replying I should lose no time, he said, that if I should write as to-day, he would avail himself of the opportunity to convey a letter to M. Otto.

I have the honour to be, &c.

(Signed) A. MERRY.

The Rt. Hon. Lord Hawkesbury, &c. &c.

Downing-street, June 10, 1802.

No. 8.—Sir, Your dispatches of the 4th instant were received on Monday night, and have been laid before the King. The account given in that dispatch of the conversation which passed on the 3d instant, between you and M. Talleyrand, respecting the French princes and their adherents, would have afforded here considerable surprize if his Majesty's government had not in some degree been prepared for it by information which had been previously received: from the manner, however, in which this subject has been mentioned to you, it is important that you should take a proper opportunity to explain, candidly and fairly, to the French government, the line of conduct which his Majesty feels it to be his duty to pursue in this very delicate business. His Majesty would certainly consider it inconsistent with both the letter and spirit of the treaty of peace, between him and the French Republic, to encourage or countenance any projects that might be hostile to the present government of France. He is sincerely desirous that the peace which has been concluded may be permanent, and may lead to the establishment of a system of good understanding and harmony between the two countries. With these sentiments he is disposed to employ all the means in his power to guard against any circumstance which can have the effect of disturbing the tranquillity that has been so happily restored; and he certainly expects that all foreigners who may reside within his dominions should not only hold a conduct conformable to the laws of the country, but should abstain from all acts which may be hostile to the government of any country with which his Majesty may be at peace. As long, however, as they conduct themselves according to these principles, his Majesty would feel it inconsistent with his dignity, with his honour, and with the common laws of hospitality, to deprive them of that protection which individuals resident in his dominions can only forfeit by their own misconduct. The greater part of the persons to whom allusion has been made in M. Talleyrand's conversation with you, are living in retirement, and his Majesty has no reason whatever to suppose that since the conclusion of peace they have availed themselves of their residence in this country to promote any designs injurious to the government of France.

I have the honour to be, &c.

Anth. Merry, &c. &c. HAWKESBURY.

Paris, June 17, 1802.

No. 9.—My Lord, I have the honour to acquaint your lordship, that I have executed the instructions given me by your secret and confidential dispatch (No. 14), in consequence of the communication from M. Talleyrand, which I transmitted in my Number 28, respecting the residence of the French princes, and other French persons in his Majesty's dominions. In delivering my answer on this business to the French minister, I took care to express, in the strongest manner, the assurances which your lordship has authorized me to give of his Majesty's sincere desire that the peace which has happily been concluded should be permanent, and that it should lead to the establishment of a

system of harmony and good understanding between the two countries; and that, as his Majesty's conduct would, in every respect, be guided by those sentiments, he of course would not tolerate, much less encourage, any proceedings on the part of persons within his dominions, which might be hostile to the present government of France: which assurances might, I trusted, be sufficient to tranquillize and satisfy the First Consul, without recurring to the measures which had been intimated to me, and which could not but be considered as inconsistent with his Majesty's dignity and honour, as well as with the common laws of hospitality, which he could not but observe towards foreigners in his dominions, until they should have forfeited that protection by their misconduct. M. Talleyrand expressed to me in reply, that the First Consul had solicited no more than the British government itself had, at the time, demanded of France, when the Pretender was in this country, and then had been practised between other governments under similar circumstances: that he could not see any humiliation in the measure which he had intimated to me; that he could assure me it had not been suggested with any such idea; and that he could only repeat, that the adoption of it would be in the highest degree agreeable and satisfactory to the First Consul, and be considered by him as the most convincing proof of his Majesty's disposition to see a cordial good understanding established between the two countries; concluding his answer with a request that I would report it to your lordship. I rejoined upon the subject by observing to the French minister, that even without adverting to the serious consideration of the King's dignity and honour, the feelings of the people of England were to be taken into account on the occasion: that he must be sensible the relative situation, hitherto, of the two countries, especially in regard to trade, afforded his Majesty's subjects no room to reap those advantages which were common to, and which were always expected from a state of peace, and that it therefore appeared to me that the First Consul would equally give a proof of his disposition to see harmony and a friendly intercourse re-established between the two nations, by not repeating his wish upon a matter which would operate in the strongest manner against such an approximation and reconciliation of sentiments, were it even only to come to the knowledge of his Majesty's subjects. *I am happy, my lord, to say, that M. Talleyrand shewed no warmth, or any very marked eagerness, in his manner of replying to my communication;* and that our conversation on this head terminated with the last remarks I made to him, when he changed it to another subject. I have the honour to be, &c. ANTH. MERRY.

Rt. Hon. Lord Hawkesbury, &c. &c.

Portman-square, July 25, 1802.

No. 10.—*Translation.*—My Lord, I transmitted, some time ago, to Mr. Hammond, a number of Peltier, containing the most gross calumnies against the French government, and against the whole nation; and I observed, that I should probably receive an order to demand the punishment of such an abuse of the press. That order is actually arrived, and I cannot conceal from you, my lord, that the reiterated insults of a small number of foreigners, assembled in London to conspire against the French government, produce the most unfavourable effects on the good understanding between the two nations. Even though the first article of the treaty of Amiens had not provided for the maintenance of that respect, which two independent nations owe to each other; the general maxims of the law of nations would formally condemn so revolting an abuse of the liberty of the press. It cannot be believed, that the law can give more latitude to a libellist than to any other individual, who, without declaration of war, should permit himself to violate the duties of good neighbourhood. The offence in question is so much the more serious, as its object is evidently to disturb the harmony which subsists between the two governments. It is not to Peltier alone, but to the editor of the "Courier François de Londres," to Cobbett, and to other writers who resemble them, that I have to direct the attention of his Majesty's government. The perfidious and malevolent publications of these men, are in open contradiction to the principles of peace, and if it could ever enter into the mind of the French government to permit retaliation, writers would doubtles be found in France, willing to avenge their countrymen by filling their pages with odious reflections on the most respectable persons, and on the dearest institutions of Great Britain. The want of positive laws against these sorts of offences cannot palliate the violation of the law of nations, according to which peace should put a stop to all species of hostilities; and doubtless those which wound the honour and reputation of a government, and which tend to cause a revolt of the people, whose interests are confided to that government, are the most apt to lessen the advantages of peace, and to keep up national resentments. I have the honour to be, &c.

(Signed) OTTO.

To his Excellency Lord Hawkesbury, Minister and Secretary of State for the Foreign Department.

Downing-street, July 28, 1802.

No. 11.—Sir, I have the honour to acknowledge the receipt of your letter on the subject of the last number of Peltier. It is impossible that his Majesty's government could peruse the article in question *without the greatest displeasure*, and without an *anxious desire* that the person who published it should suffer *the punishment he so justly deserves*. The calumnies, however, to which his Majesty's government, and many of the best subjects in this country, are frequently exposed in the public prints, must necessarily convince all foreign governments of the difficulties which exist in a constitution like that of Great Britain, in preventing the abuse which is often unavoidably attendant on the greatest of all political benefits; and though publications of this nature are, as they certainly ought to be, by the law of England, subject to punishment, it is often difficult to prove the guilt of an individual so satisfactorily as to obtain the judgment of a court of justice; and the inconvenience which arises from prosecution, unless there is a reasonable prospect of success, is frequently sufficient to deter both the government and individuals from undertaking it. In the present case I have thought it my duty to refer the article in question to his Majesty's Attorney General, for his opinion whether it is or is not a libel, according to the construction of the law of England, and whether it is such a libel as he would, under all the circumstances, recommend for prosecution. As soon as I receive his report, I shall have the honour of communicating it to you. I have the honour to be, &c. (Signed) HAWKESBURY.

M. Otto, &c. &c.

No. 12.—*(Translation.)—Note.*—The undersigned minister plenipotentiary of the French Republic having submitted to his government the letter which his Excellency Lord Hawkesbury, minister and principal secretary of state of his Britannic Majesty, did him the honour of writing under date of the 27th July, is directed to offer the following observations:—If the British government tolerates censures upon the acts of its administration, and the personal abuse of the most respectable men, it does not suffer even the slightest attempt against the public tranquillity, the fundamental laws of the empire, and the supreme authority which arises from them. Every nation is, moreover, at liberty to sacrifice any advantage whatever in its interior, in order to obtain another to which it attaches a higher value; but the government which does not repress the licentiousness of the press, when it may be injurious to the honour or the interests of foreign powers, would afford an opportunity for libellists to endanger the public tranquillity, or at least the good understanding that forms the basis of it, and whenever such serious injuries are continued in a regular and systematic manner, doubts must arise as to its own dispositions. The particular laws and constitution of Great Britain are subordinate to the general principles of the law of nations, which supercede the laws of each individual state. If it be a right in England to allow the most extensive liberty to the press, it is a public right of polished nations, and the bounden duty of governments to prevent, repress, and punish, every attack which might by those means be made against the rights, the interests, and the honour of foreign powers. This general maxim of the law of nations has never been mistaken without paving the way for the greatest divisions, *and has even furnished in England a plausible pretext to those who have written volumes to prove the necessity of the last war against France.* Are these men now desirous of presenting to the Consular government a weapon which they have wielded with so much address? And can they flatter themselves that the authority which has signed the peace has not power to maintain it? By the first article of the treaty of Amiens, the two powers agree to afford no protection, either directly or indirectly, to those who should cause prejudice to any of them. But the greatest of all injuries doubtless is, that which tends to debase a foreign government, or to excite within its territory civil and religious commotions; and the most decided of all protections, is that which places under the safeguard of the laws, men who seek not only to disturb the political tranquillity of Europe, but even to dissolve the first bonds of society. The undersigned minister must moreover observe, that this is not a question respecting some paragraphs, which, through the inadvertence of an editor, might have been accidentally inserted in a public print; but it is a question of a deep and continued system of defamation, directed not only against the Chief of the French Republic, but against all the constituted authorities of the Republic, against the whole nation, represented by these libellers in the most odious and degrading terms. It has even been remarked that many of these prints contain an appeal to the French people, against the government and fundamental laws of their country. If these observations apply to the English writers, who, for these three months past, have deluged the public with the most perfidious and unbecoming publications, they are still more applicable to a class of foreign calumniators, who appear to avail themselves of the asylum offered them in England only for the purpose of the better

gratifying their hatred against France, and undermining the foundations of peace.—It is not merely by insulting and seditious writings, evidently published with a view to circulation in France, but by other incendiary papers distributed through the maritime departments, in order to excite the evil-disposed or weak inhabitants to resist the execution of the *Concordate*, that the implacable enemies of France continue to exercise hostilities, and to provoke the just indignation of the French government and people. Not a doubt exists of these writings having been composed and circulated by Georges, and by the former bishops of France. These men can no longer be considered but as rebels against both political and religious authority; and after their reiterated attempts to disturb the good understanding between the two governments, their residence in England militates openly against the spirit and letter of the treaty of peace. The meetings likewise which have taken place in the island of Jersey, and the odious plots which are there framed, in spite of the representations which the undersigned minister has already taken care to make on this subject, also demand immediate measures to be taken by a government, the neighbour and friend of France. Other persons (attached, by recollections never to be effaced, and by regrets too long fostered, to an order of things which no longer exists in France) find themselves daily implicated by the plots of those who pretend to serve them. A sense of their own reputation will without doubt lead them to avoid a focus of intrigues, with which they ought not to have the least connection. Peace happily re-established, the mutual desire of the two governments to render it solid and lasting, and the general interests of humanity, require that all these causes of dissatisfaction should be done away, and that his Majesty's ministry should, by frank and energetic measures, manifest their disapprobation of all the attempts made to produce new divisions. The undersigned has in consequence received especial orders to solicit—

1st. That his Majesty's government will adopt the most effectual measures to put a stop to the unbecoming and seditious publications with which the newspapers and other writings printed in England are filled.

2d. That the individuals mentioned in the undersigned minister's letter of the 23d July last, shall be sent out of the island of Jersey.

3d. That the former Bishops of Arras and St. Pol de Léon, and all those, who like them, under the pretext of religion, seek to raise disturbances in the interior of France, shall likewise be sent away.

4th. That Georges and his adherents shall be *transported* to Canada, *according to the intention which the undersigned has been directed to transmit to his government at the request of Lord Hawkesbury.*

5th. That, in order to deprive the evil-disposed of every pretext for disturbing the good understanding between the two governments, it shall be recommended to the princes of the House of Bourbon at present in Great Britain, to repair to Warsaw, the residence of the head of their family.

6th. That such of the French emigrants as still think proper to wear the orders and decorations belonging to the ancient government of France, shall be required to quit the territory of the British empire.

These demands are founded upon the Treaty of Amiens, and upon the verbal assurances that *the undersigned minister has had the satisfaction to receive in the course of the negociations, with regard to a mutual agreement for maintaining tranquillity and good order in the two countries.* If any one in particular of these demands does not proceed so immediately from the treaty concluded, it would be easy to justify it by striking examples, and to prove how very attentive the British government has been in times of internal fermentation, to remove from the territory of a neighbouring power those who might endanger the public tranquillity.—Whatever may be the protection which the English laws afford to native writers and to other subjects of his Majesty, the French government knows that foreigners do not here enjoy the same protection; and that the law, known by the title of the *Alien Act*, gives the ministry of his Britannic Majesty an authority which it has often exercised against foreigners whose residence was prejudicial to the interests of Great Britain. The first clause of this Act states expressly, that any order in council which requires a foreigner to quit the kingdom shall be executed under pain of imprisonment and transportation. There exists, therefore, in the ministry a legal and sufficient power to restrain foreigners, without having recourse to the courts of law, and the French government, which offers on this point a perfect reciprocity, thinks it gives a new proof of its pacific intentions, by demanding that those persons may be sent away, whose machinations uniformly tend to sow discord between the two people. It owes to itself and to the nation at large, (which has made it the depository of its power and of its honour), not to appear insensible to insults and to plots during profound peace, which the irritation of open war could not justify, and it is too well acquainted with the conciliatory dispositions of the British Ministry, not to rely

upon its efforts to disperse a faction equally the enemy of France and England. The undersigned minister seizes this opportunity to present to his Excellency Lord Hawkesbury, the homage of his respectful consideration. (Signed) OTTO.

London, 17*th August*, 1802.

Downing-street, *August* 28, 1802.

No. 13.—Sir, I send you the copy of a letter which I received some days ago from M. Otto, together with a copy of an official note inclosed in it. I have informed M. Otto, that you would receive instructions to enter into explanations with the French government on the several points to which it refers. It is impossible not to feel considerable surprize at the circumstances under which it has been thought proper to present such a note; at the stile in which it is drawn up, and at the complaints contained in it. Whatever may be the general dispositions of the French government towards this country, supposing them to be as hostile as they have been at any former period, or even more so, it would appear so contrary to their interest to provoke a war with us at the present moment, that I am inclined to ascribe their conduct, in the whole of this business, more to temper, than to any other motive; but whether their conduct is to be referred to temper or to policy, the effects of it may still be the same; it is therefore become of the utmost importance that a frank explanation should be made of the line of conduct which his Majesty has determined to adopt on reasons of the nature of those to which this note refers, and of the motives on which it is founded; and it is to be hoped that such an explanation will have the effect of putting an end to a course of proceeding which can lead only to perpetual irritation between the two governments, and which might ultimately tend to the most serious consequences. The first consideration that naturally arises on this transaction, is that of the peculiar circumstances under which the note of M. Otto has been presented. It cannot be denied that some very improper paragraphs have lately appeared in some of the English newspapers against the government of France; it cannot be denied likewise, that publications of a still more improper and indecent nature have made their appearance in this country, with the names of foreigners affixed to them. Under these circumstances the French Government would have been warranted in expecting every redress that the laws of this country could afford them; but as, instead of seeking it in the ordinary course, they have thought fit to resort to recrimination themselves, or at least to authorize it in others, they could have no right to complain if their subsequent appeal to his Majesty had failed to produce the effect that otherwise would have attended it. Whatever may have been the nature of the prior injury, they have in fact taken the law into their own hands; and what is this recrimination and retort? The paragraphs in the English newspapers, the publications to which I have above referred, have not appeared under any authority of the British government, and are disavowed and disapproved of by them; but the paragraph in the Moniteur has appeared in a paper avowedly official, for which the government are therefore considered as responsible, as his Majesty's government is responsible for the contents of the London Gazette. And this retort is not confined to the unauthorized English newspapers, or to the other publications of which complaint is now made, but is converted into, and made a pretence for a direct attack upon the government of his Majesty. *His Majesty feels it beneath his dignity to make any formal complaint on this occasion;* but it has been impossible for me to proceed to the other parts of the subject, without pointing your attention to the conduct of the French government in this respect, that you may observe upon it in the manner it deserves. The propositions in M. Otto's official note, are six in number; but may in fact be divided under two heads: the first, that which relates to the libels of all descriptions, which are alledged to be published against the French government; the last, comprehending the five complaints which relate to the emigrants resident in this country. On the first, I am sure you must be aware that his Majesty cannot, and never will, in consequence of any representation or any menace from a foreign power, make any concession, which can be in the smallest degree dangerous to the liberty of the press, as secured by the constitution of this country. This liberty is justly dear to every British subject. The constitution admits of no previous restraints upon publications of any description; but there exist judicatures, wholly independent of the executive government, capable of taking cognizance of such publications as the law deems to be criminal, and which are bound to inflict the punishment the delinquents may deserve; these judicatures may take cognizance not only of libels against the government and the magistracy of this kingdom, but, as has been repeatedly experienced, of publications defamatory of those in whose hands the administration of foreign governments is placed. That our government neither has nor wants any other protection than what the laws of the country afford; and though they are willing and ready

to give to every foreign government all the protection against offences of this nature which the principle of their laws and constitution will admit; they never can consent to new-model their laws, or to change their constitution, to gratify the wishes of any foreign power. If the present French government are dissatisfied with our laws on the subject of libels, or entertain the opinion that the administration of justice in our courts is too tardy and lenient, they have it in their power to redress themselves by punishing the venders and distributors of such publications within their own territories, in any manner that they may think proper, and thereby preventing the circulation of them. If they think their present laws are not sufficient for this purpose they may enact new ones; or, if they think it expedient, they may exercise the right which they have of prohibiting the importation of any foreign newspapers, or periodical publications, into the territories of the French Republic. His Majesty will not complain of such a measure, as it is not his intention to interfere in the manner in which the people or territories of France should be governed; but he expects, on the other hand, that the French government will not interfere in the manner in which the government of his dominions is conducted, or call for a change in those laws with which his people are perfectly satisfied. With respect to the distinction which appears to be drawn in M. Otto's note, between the publications of British subjects and those of foreigners, and the power which his Majesty is supposed to have in consequence of the Alien Act, of sending foreigners out of his dominions, it is important to observe that the provisions of that act were made for the purpose of preventing the residence of foreigners, whose numbers and principles had a tendency to disturb the internal peace of his own dominions, and whom the safety of those dominions might require in many instances to be removed, even if their actual conduct had not exposed them to punishment by law. It does not follow that it would be a warrantable application of such a law to exert its powers in the cases of individuals such as those of whom complaint is now made, and particularly as they are liable to be prosecuted under the law of the land, in like manner as others have been in similar cases, at the instance, and upon the complaint of foreign governments. The second general head, which includes the five last complaints, relates to the removal of some of the French emigrants resident in this country. His Majesty entertained hopes that the explanation furnished on this head in my dispatch No. 14. would have proved satisfactory, and would have precluded the necessity of any farther discussion on this subject. The French government have upon several occasions resorted on this part of the subject to precedent, and have particularly rested on the demand formerly made by this country, that the person then called the Pretender, should be sent from the French dominions. It is important that the differences between these two cases should be stated. When James the Second abdicated the throne, and left this country, he retired with his adherents to France; and though in the war which immediately succeeded that event, the French government adopted his cause as their own, no stipulation was made at the Treaty of Ryswick, that he should be sent from that country, nor was any subsequent demand ever made to the French government to this effect; but he was suffered to remain at Saint Germain, in the neighbourhood of Paris, surrounded by his family and friends, till the time of his death. It was not till after his demise, when Lewis the Fourteenth, in direct violation of the treaty of Ryswick, had acknowledged his son as King of Great Britain, that a different course of proceeding was adopted by the British government; and in the treaty of peace signed at Utrecht, which put an end to the war which had been carried on, on account of the Spanish succession, an article was inserted to prevent the Pretender from residing in any part of the French dominions. The demand which was subsequently made for the removal of the Pretender from a town which was situated in the centre of these dominions, was founded on this article of the treaty, which was in fact one of the conditions of the peace; but both the article in the treaty and the demand were confined to the Pretender personally, and were not extended to any of his family, or to any of his adherents. After his removal, many of his adherents continued to reside in France; many persons resident in this country, who were attached to the cause of the Pretender, and had promoted the rebellion in his favour, and who were consequently attainted for high treason, sought refuge in France, and were permitted to remain there till their death, without any application ever having been made by the British government for their removal. The Duke of Berwick, the natural son of James the Second, who from his principles and talents was the most dangerous man to the interests of this country and the Protestant succession, continued to be a general in the French armies, and though descended from the King, an Englishman and an emigrant, it was not require

that he should be sent out of France. In the present case, there is no article in the treaty of peace, by which his Majesty is bound to send from this country any Frenchman whatever, except on account of the crimes specified in the twentieth article of the definitive treaty, and in consequence of the proofs therein required having been adduced. In the present case, it cannot be pretended that his Majesty has ever given the slightest countenance to the cause of the royalists in France against the present government, since the period when he acknowledged that government; and if there were not these important differences in the two cases, they would be totally dissimilar in the only remaining point; for in the case of the House of Stuart, as has been already stated, notwithstanding the violence of the times, and the danger to which the Protestant succession was really exposed, this strong act of authority was confined to the person of the Pretender; and the individual who must be recognized in that character by the French government, and whose case can alone bear any similarity to the former even in this respect, is not, and never has been within his Majesty's dominions: other precedents might be adduced on this subject; but it is not necessary to state them, as the foregoing are sufficient. With respect to the complaints in detail under the second head.—Upon the first, you may inform the French government, that the emigrants in Jersey, many of whom had remained there solely on account of the cheapness of subsistence, had actually removed, or were removing previous to the representation concerning them in Mr. Otto's note, and that before your explanation with Mr. Talleyrand can take place, there will probably not be an emigrant in the island. To the second complaint, which relates to the Bishops of Arras and Saint Paul de Leon, and others, his Majesty can only reply, that if the facts alledged against them can be substantiated; if it can be proved that they have distributed papers on the coast of France, with a view of disturbing the government, and of inducing the people to resist the new church establishment, his Majesty would think himself justified in taking all measures within his power for obliging them to leave the country; but some proof must be adduced of those facts; and such proof must not be that of their having in a single instance, viz. in reply to the Pope's mandate, published a vindication of their own conduct, in refusing to conform to the new establishment, a proceeding in which they would be justifiable on every principle of toleration and justice; but it should shew that they have since availed themselves of their situation in this country to excite the people of France against the authority of that government, whether civil or ecclesiastical. On the third complaint, which respects the removal of Georges, and those persons supposed to be described as his adherents, Mr. Otto must have mistaken me in what he supposes me to have said on that subject. His Majesty is, however, very desirous to obviate any cause of complaint or uneasiness with respect to these persons; *and measures are in contemplation, and will be taken, for the purpose of removing them out of his Majesty's European dominions.* On the fourth complaint, respecting the princes of the House of Bourbon, I can only refer you to my former answer. His Majesty has no desire that they should continue to reside in this country, if they are disposed, *or can be induced to quit it;* but he feels it to be inconsistent with his honour and his sense of justice to withdraw from them the rights of hospitality, as long as they conduct themselves peaceably and quietly; and unless some charge can be substantiated of their attempting to disturb the peace which subsists between the two governments. With respect to the fifth complaint, which relates to the French emigrants wearing in this country the orders of their ancient government; there are few if any persons of that description in this country who wear such orders. *It might be more proper if they all abstained from it;* but the French government could not persist in expecting, that even if it were consistent with law, his Majesty could be induced to commit so harsh an act of authority as to send them out of the country on such an account. I have thus stated to you his Majesty's sentiments on the several points contained in Mr. Otto's note. You will take an early opportunity of communicating these sentiments to the French government, and of accompanying them with the arguments and explanations above stated. And if it should be desired, and you should be of opinion, that it was likely to produce any good effect, there is no objection to your putting the substance of what you shall have stated in writing, and of delivering it to the minister for foreign affairs, as a memorandum of your conversation. Upon the general tone and style of Mr. Otto's note, it is important to observe, that it is far from conciliating; and that the practice of presenting notes of this description, on any motive or suggestion of personal irritation, cannot fail to have the effect of indisposing the two governments towards each other, instead of consolidating and strengthening the peace which happily subsists between them. That after a war, in which the passions of men have been roused beyond all former examples, it is natural to suppose that the distrust, jealousy, and other hostile feelings of individuals should not immediately subside, and under these circumstances it appears to be both the interest and the duty of the two governments, by a mild and temperate conduct, gradually to allay these feelings, and not on the contrary to

provoke and augment them by untimely irritation on their part, and by ascribing proceedings like those above noticed, to causes to which they have no reference. His Majesty has thus fully and frankly explained his sentiments, and the ground of his conduct. He is sincerely disposed to adopt every measure for the preservation of peace, which is consistent with the honour and independence of the country, and with the security of its laws and constitution. But the French government must have formed a most erroneous judgment of the disposition of the British nation, and of the character of its government, if they have been taught to expect that any representation of a foreign power will ever induce them to consent to a violation of those rights on which the liberties of the people of this country are founded. I have the honour to be, &c.

Anthony Merry, Esq. HAWKESBURY.

No. 14.—*(Translation.)*—*Note.*—General Vial, minister plenipotentiary of the Republic at Malta, having set out for his destination about the 20th of July, it is to be presumed, that he will soon be in a condition to enter into a concert with his Britannic Majesty's minister plenipotentiary, on the evacuation of Malta, and of its dependencies. The three months, in which this evacuation should have taken place, are expired; and it being the intention of the two governments that the execution of the treaty of Amiens should experience the least possible delay, the First Consul would have been desirous that the two thousand Neapolitans who are ready to depart, could have been transported at an early period to the Island of Malta, to be in readiness whenever the evacuation shall be on the point of being effected. It appears, nevertheless, that Mr. Drummond, the English minister at Naples, has not been authorized by his government to facilitate this transport; and that the motive alledged by that minister was, that the stipulations which ought to precede the evacuation not being fulfilled, that evacuation could not yet take place. In communicating the above details to his Excellency Lord Hawkesbury, his Britannic Majesty's principal secretary of state for the foreign department, the undersigned is directed to observe, that the sending the two thousand Neapolitans to the Island of Malta cannot but be considered as a preliminary step, in order to accelerate the evacuation, as soon as the necessary measures shall have been taken by the respective plenipotentiaries; and that it does not in any manner prevent the subsequent concert on the details of the evacuation, conformably to the clauses of the treaty of Amiens. The undersigned is moreover directed to request the British ministry to give general instructions to his Majesty's plenipotentiaries at Naples, and at Malta, that the evacuation, and the other conditions of the 10th Article, may be executed without obstacle, and without these plenipotentiaries conceiving themselves obliged to refer to their government on each of the successive operations which should take place. The undersigned embraces this opportunity to present to his Excellency Lord Hawkesbury, the homage of his respectful consideration.

London, Aug 21, 1802. OTTO.

His Excellency Lord Hawkesbury, &c.

No. 15.—*Note*—The undersigned has the honour to acknowledge the receipt of Mr. Otto's note of the 21st instant. When the Neapolitan government notified to Mr. Drummond, the King's minister at Naples, that the 2000 troops which his Sicilian Majesty had selected to serve in Malta, were ready to proceed to their destination, that gentleman declined taking any step to facilitate their embarkation, till he should receive intelligence of the arrival of Sir Alexander Ball in that island, and till he should be informed that the commander in chief of the British forces had made suitable preparations for their reception. By the last advices from Malta it appears, that Sir Alexander Ball had arrived there on the 10th of last month, and that after having conferred with General Fox upon the subject, he had written to Mr. Drummond, that there was no impediment whatever to the immediate reception of the Neapolitan troops, and that their quarters would be prepared accordingly; the undersigned has the honour to state this to M. Otto as the most satisfactory answer which he can give to his note. It is probable, therefore, that the troops of his Sicilian Majesty are already embarked and on their passage; but to prevent the possibility of any unnecessary delay or misconception, the most explicit instructions will be immediately forwarded to Mr. Drummond on this subject. With respect to the other points in M. Otto's note, the undersigned can only repeat what he has before stated to him, that his Majesty is most sincerely desirous to see all the stipulations of the 10th article of the definitive treaty carried into effect with the utmost punctuality, and with the least possible delay. With this view he takes this opportunity of observing to M. Otto, that by the very last dispatches from the English ambassador at St. Petersburgh, the French minister at that court had not even then received any instructions from his government relative to the steps to be taken in concert with Lord St. Helens, for inviting the Emperor to become a guaranty of the provisions and stipulations of the article in question. The French minister at Berlin was in the same predicament. The undersigned, therefore, requests that M. Otto would have the goodness to represent these circumstances to his government, and to urge them, if they have not already done it, to transmit without delay to

their ministers at those courts the necessary instructions for bringing this part of the business to a conclusion. The undersigned requests M. Otto to accept the assurances of his high consideration. HAWKESBURY.

Downing-street, Aug. 23, 1802.

No. 16.—*Extract of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, Oct. 3, 1802.*—As soon as the Helvetic government had retired from Berne to Lausanne, the partizans of the antient federative system of the Swiss Cantons, who established immediately in the former city a provisional government, deputed a confidential to Paris, for the purpose of counteracting the measures of M. Stapfer, and of engaging the First Consul to suffer the inhabitants of Switzerland to settle their affairs amongst themselves. He was instructed in any emergency to address himself to the ministers here of the principal powers of Europe, and to solicit their interference and assistance in the objects of his mission. He reached Paris four days ago, and had reason to flatter himself, from the result of an interview which he had immediately with M. Talleyrand, that the First Consul would put no obstacle in the way of any arrangement which the Swiss might agree upon among themselves for the final settlement of their government; he was therefore much surprised to learn soon afterwards, that a change had taken place in the First Consul's sentiments, and his astonishment was complicated when he found that the latter had taken so decided and so unfavourable a part in the business, as that which is announced by a resolution published in yesterday's Moniteur, (which I have the honour to transmit inclosed), in the form of an address to the inhabitants of Switzerland. This person having, besides this public declaration, acquired some private information of its being the first Consul's intention to give the most immediate and vigorous effect to it, lost no time in addressing a letter to the latter, in which he took the liberty of stating that he must have been deceived by false representations, that his interference in the affairs of Switzerland was, as he was authorized to say, entirely unsolicited by the majority, and the best thinking part of the inhabitants; and that he had, therefore, to entreat of him, in the most earnest manner, to suspend the execution of his resolution until those explanations could take place, which he trusted might be the means of preventing the immense effusion of blood which would otherwise inevitably ensue. He at the same time addressed himself in the course of yesterday to me, as well as to the Austrian and Spanish ambassadors, and to the Russian and Prussian ministers, (not having gained admittance to Mons. de Cobenzel, nor to M. de Markoff or Lucchesini; he afterwards wrote to them), soliciting, in the strongest terms, an interference (jointly, if possible), on their part, with the French government, to endeavour to avert the impending evil. I naturally observed to him in answer, that the present state of political relations between the great powers of Europe afforded no prospect of his obtaining of their ministers at Paris, to adopt a concerted measure in favour of the object which he had so much at heart, and that of course I could not take it individually upon myself, without any express instruction from my government. He returned to me to-day, to acquaint me that he was not only as yet without a reply from any quarter, but had reason to fear that his prayers would not be listened to by the Austrian, Russian, and Prussian ministers; *he therefore conjured me to transmit them to his Majesty's government, from whom only his countrymen could have a hope of deriving any assistance in the terrible conflict which he knew they were determined to stand, and which would only cease by the extermination of every virtuous and brave man in the country.* He then put into my hand a note which he had drawn up in a hurry, and of which I inclose a copy. Whilst, my lord, it was out of my power to give him any encouragement to expect from his Majesty's government the assistance which his petition expresses, I have thought it my duty to lose no time in making you acquainted with a state of things which may shortly be attended with very important consequences.

(Inclosure referred to in No. 16.)—Translation.—Note.—So long as Switzerland was occupied by the French armies, the wishes of the people could never be freely manifested. The petty revolutions which took place in the government were the mere tricks of certain factions, in which the nation at large took but a very trifling interest. Scarcely did Switzerland think herself independent when she was desirous of returning to her ancient institutions, rendered still dearer to her by her late misfortunes, and the arbitrary acts of the government furnished her with the means of doing so. Almost the whole of Switzerland, with unexampled unanimity and moderation, shook off the yoke. The Cantons formed themselves into constituent bodies; and twelve of the thirteen Cantons of Switzerland sent their representatives to the Diet of Schwitz, in order there to organize a central power which might be acceptable to the neighbouring powers. The aristocratical Cantons renounced their exclusive rights; the Pays de Vaud was left at liberty to form its own constitution, as well as Thurgovia and the other new Cantons. The government having taken refuge at Lausanne, was by no means secure there, notwithstanding its regular troops; perhaps even at the present moment it no longer exists. Who would not have thought that according to the

stipulation of the Treaty of Luneville, which grants independance to Switzerland, and the right of choosing its own government, every thing was settled, and that this nation might see its former happiness and tranquillity revive? Who could have thought that the First Consul would have issued such a decree as that of the 8th Vendemiaire? Is an independant nation to be thus treated? Should Bonaparte persist in his determination, and the other powers should not interpose in our favour, it only remains for us either to bury ourselves in the ruins of our houses, although without hope of resistance, exhausted as we are by the colossus who is about to overwhelm us, or to debase ourselves in the eyes of the whole universe! Will the government of this generous nation, which has at all times afforded so many proofs of the interest it takes in the welfare of the Swiss, do nothing for us under circumstances which are to decide, whether we are still to be ranked amongst *free people!* We have only men left us:—the revolution, and spoliations without end, have exhausted our means: we are without arms, without ammunition, without stores, and without money to purchase them.

No. 17.—*Note Verbale.*—Lord Hawkesbury has received his Majesty's commands to communicate, through Mr. Otto, to the French government, the sentiments of deep regret which have been excited in his Majesty's mind by the address of the First Consul to the Helvetic people, which was published by authority in the Moniteur of the 1st instant, and by the representations which have been made to his Majesty on this subject, on behalf of the nation whose interests are so immediately affected by it. His Majesty most sincerely laments the covulsions to which the Swiss Cantons have for sometime past been exposed; but he can consider their late exertions in no other light than as the lawful efforts of a brave and generous people to recover their antient laws and government, and to procure the re-establishment of a system which experience has demonstrated, not only to be favourable to the maintenance of their domestic happiness, but to be perfectly consistent with the tranquillity and security of other powers. The Cantons of Switzerland unquestionably possess, in the same degree as every other independent state, the right of regulating their own internal concerns; and this right has moreover, in the present instance, been formally and explicitly guaranteed to the Swiss nation by the French government in the Treaty of Luneville conjointly with the other powers who were parties to that engagement. His Majesty has no other desire than that the people of Switzerland, who now appear to be so generally united, should be left at liberty to settle their own internal government without the interposition of any foreign powers; and with whatever regret his Majesty may have perused the late proclamation of the French government, he is yet unwilling to believe that they will farther attempt to controul that independent nation in the exercise of their undoubted rights. His Majesty thinks himself called upon by his regard for the general interests of Europe, and by his peculiar solicitude for the happiness and welfare of the Swiss nation, to express these his sentiments with a frankness and sincerity which he feels to be due to his character, and to the good understanding which he is desirous of preserving with the government of France.

Downing-street, October 10, 1802.

M. Otto, &c. &c.

Downing-street, October 10, 1802.

No. 18.—Sir, his Majesty having deemed it expedient, that a confidential person should be sent at the present moment to Switzerland, in consequence of the communication which he has received from the Swiss confederacy, through their representative at Paris, I am commanded to inform you that he has made choice of you for that purpose. It is of the utmost consequence, considering the nature of the business with which you are entrusted, that you should lose no time in taking your departure from hence, and that you should make every practicable exertion to arrive on the frontiers of Switzerland with as little delay as possible. You will inform yourself there what is the actual residence of the government of the Swiss confederation, to which you will immediately repair. Having taken the proper means to obtain a confidential interview with the persons who may be entrusted with the principal direction of affairs, you will communicate to them a copy of the note verbale which I delivered to M. Otto, and which is herewith inclosed; and you will take every opportunity of impressing upon their minds the deep interest which his Majesty takes in the success of their exertions. You will state to them, that his Majesty entertains hopes, that his representation to the French government may have the effect of inducing the First Consul to abandon his intention of compelling the Swiss nation by force to renounce that system of government under which they had so long prospered, and to which they appear to be almost unanimously anxious to return. In this event his Majesty will feel himself bound to abstain from all interference on his part; it being his earnest desire that the Swiss nation should be left at liberty to regulate their own internal concerns, without the interposition of any foreign power. If, however, contrary to his Majesty's expectations, the French government should persist in the system of coercion, announced in the proclamation of the First Consul, inserted in the

Moniteur of the 1st instant, you will, in that case, inform yourself, by every means in your power, of the disposition of the people at large of the Swiss confederacy, and particularly of those who have the direction of their affairs, and of those who possess the greatest share of influence amongst them, to persevere in the defence of their rights, and in the maintenance of the system they have adopted. You will likewise enquire into the means of defence of which they may be possessed, and of the probability of their being exerted with success. You will on no account encourage them to persevere in active measures of resistance which they are not themselves desirous to adopt, or which they may believe are unlikely to be ultimately effectual. If, however, you should find that the people of the Swiss confederacy are generally determined to persevere in the maintenance of their independence, and of their right to return to their ancient system of government; and if you should be of opinion that from the union that subsists amongst the people, and from their zeal and enthusiasm in the cause in which they are engaged, they are finally resolved at all hazards to resist the threatened attempt of the French government to interpose by force of arms, in the settlement of their internal concerns; you will then immediately communicate, in confidence, to the Swiss government, that either in the event of a French army having entered the country, or in the event of your having reason to be convinced that a French army is actually advancing for that purpose, his Majesty has authorised you to accede to their application for pecuniary succours. I have furnished you with a cypher and decypher that you may have it in your power to correspond with his Majesty's ministers at Vienna and Munich, if you should think it adviseable; and as it is highly probable that the armies of the Swiss confederacy may be inadequately supplied with arms, ammunition, or provisions, and may be desirous of procuring supplies thereof from the neighbouring countries, you will use your utmost endeavours to give them every facility for this purpose. You will be very particular in informing me of the numbers and situation of any Austrian corps in the neighbourhood of Switzerland, and of the probability of their advancing in any event into the Swiss territory. As it is of great importance that his Majesty's government should be regularly informed of the events which may be passing in Switzerland, and of the dispositions that may prevail there, you will endeavour to ascertain the most safe and expeditious mode of conveying your letters which will avoid their passing through any part of the French Republic. As it is possible that previous to your arrival in Switzerland the present state of affairs may have undergone a decided alteration, either in consequence of the submission of the Swiss Cantons, or of any compromise having taken place as to their internal concerns, it will be proper that, in that case, you should take up your residence in such a situation as you may think most convenient in the neighbourhood of Switzerland, of which you will give me the earliest intelligence, and there wait for his Majesty's further orders. I am, with great truth and regard, Sir, your most obedient humble servant,

(Signed) HAWKESBURY.

Francis Moore, Esq.

Constance, October 31, 1802.

No. 19.—My Lord, I have the honour to inform your lordship that I arrived here on the 22d instant, and that having received this evening authentic information of the submission of the Diet of Switzerland, assembled at Schwitz, to the French arms, I lose no time in dispatching the messenger Shaw, with this intelligence; from which your lordship will perceive that it only remains for me to obey that part of my instructions by which I am directed, under such circumstances, to take up my residence in the neighbourhood of Switzerland, and there to await his Majesty's further orders. I have the honour to be, &c.

(Signed) FRA. MOORE.

The Right Hon. Lord Hawkesbury, &c.

Downing-street, November 25, 1802.

No. 20.—Sir, I have duly received your several letters by the messenger Shaw. As from the present state of Switzerland your continuance in the vicinity of that country appears to be no longer necessary, you are at liberty to return to England as soon as it may suit your convenience. I am, &c.

(Signed) HAWKESBURY.

Francis Moore, Esq.

No. 21.—*Extract of a dispatch from Mr. Liston to Lord Hawkesbury, dated Hague, 13th October*, 1802.—A few hours after I had sent off my last dispatch to your lordship, (on Saturday, the 9th of this month), the French ambassador, M. de Semonville, waited upon the President of the government of state, and informed him that he had just received, by a courier from Paris, orders to inform the government of this country, "Que le Premier Consul avoit appris, avec autant de surprise que d'indignation, que des personnes avides de révolutions vouloient de nouveau troubler le repos dans la Batavie, en abusant même pour cet effet de noms respectables; et que le Premier Consul, comme allié de la Republique, invitoit le gouvernement à prendre toutes les mésures nécessaires pour maintenir l'ordre des choses établi par la constitution." These were nearly the words read to me by the secretary of state, from a note in his own hand-writing, dictated to him by M. de Se-

monville, with a view to its publication, (and a translation was accordingly inserted in the Dutch official paper of the Hague on the 11th); but they fall very short of the language employed by the French minister for foreign affairs in his dispatches to the ambassador, and in the communication made by him to the Dutch chargé d'affaires at Paris, (who also sent a messenger to the Hague upon this occasion). In these M. de Talleyrand entered into considerable detail on the subject of the plots supposed to be formed in this country against the administration, mentioned the names of the chiefs, and ended by making an offer, on the part of the First Consul, to come to the assistance of the government (should circumstances render it necessary) with all his forces.

Hague, October 29, 1802.

No. 22.—My Lord, The recent attack made by Buonaparté upon the liberties and independence of the Swiss Cantons, has naturally made a strong impression upon the inhabitants of this country; and the public anxiety has been much augmented by certain symptoms in the conduct of the consular government, which seem to indicate an intention not to withdraw the French troops, which have been kept in the Batavian Republic for some time past, under the title of *auxiliaries*, and paid and maintained at the expence of the Dutch nation. These troops (amounting to between ten and eleven thousand men) were to remain here till the conclusion of the definitive treaty with Great Britain. It was afterwards formally promised on the part of France, that they should evacuate the territories of the Republic at the latest, on the expiration of the last French year (the 23d of September.) They accordingly began their march to the southward a few days before that period; and the government and the people rejoiced at the prospect of being finally relieved from a load which has become extremely irksome to them. But, on pretence that a great proportion of the corps were to be embarked at Flushing for Louisiana, and that there was a want of shipping for their accommodation, they took up their quarters on the frontiers of the country (at Bois-le-Duc, Breda, and Bergen-op-Zoom), where they still remain; and demands have continued to be made for their pay and maintenance. Hopes were, however, entertained from day to day, that their departure would take place; when, to the astonishment of the Batavian government, official notice was (last week) transmitted from France to the department of war at the Hague, (which has been charged with the support of these corps), that the First Consul has been pleased to appoint a new commander in chief (General Montrichard), and a new staff, for the auxiliary troops in this country; and the notice was given that government might provide for the pay of the officers in question. The administration appear resolved to oppose all the resistance in their power to this unexpected and oppressive extortion. An express has been sent off to the Dutch ambassador at Paris, charging him to claim, in the most urgent terms, the accomplishment of the treaties subsisting between the two Republics, and the fulfilment of the repeated and recent promises made by the French government upon this subject. And in case of the failure of this application, they talk of addressing themselves to the principal powers of Europe who had any share or influence in the conclusion of the peace, to intreat their intervention and good offices, with a view to the maintenance of the independence of the Republic. I have the honour to be, &c. ROB. LISTON.

Right Hon. Lord Hawkesbury, &c.

No. 23.—*Extract of a dispatch from Lord Hawkesbury, to Lord Whitworth, dated November* 30, 1802.—His Majesty's government have learnt with some surprize from the communications from General Stuart, that that officer had signified to Colonel Sebastiani his inability to evacuate Egypt, until he should receive specific orders for that purpose. It is certainly true that no warrant has been transmitted to General Stuart, or to his predecessor the Earl of Cavan, for the evacuation of Egypt; neither was it considered to be necessary, in as much as his Majesty's government had already expressed their intention to General Stuart, in his instructions, that, except in a case of absolute necessity, the King's troops should remain in Egypt no longer than the month of July last. In all the instances of which places had been conquered by the King's forces, and of which possession had been taken in his Majesty's name, it has been usual when they have been restored to the French Republic, or its allies, that the commanding officer should be furnished with a regular warrant under the King's sign manual, authorizing him to make such restoration. But the case of Egypt is different, as that country had never been taken possession of in his Majesty's name, as it had been actually restored to the Ottoman Porte, and as certain stations in it were continued to be occupied merely as military posts, until the means of removing the troops should be provided. It is probable, that in the present instance, General Stuart may have been misled by a doubt as to the extent of his own power, and by the opinion that he required a warrant to evacuate Egypt, similar to that which had been granted to officers who superintended the restitution of conquests of which possession had been taken in his Majesty's name. In order, however, to obviate any farther difficulties, instructions have now been sent to General Stuart directing him to re-

move the King's troops from Egypt with as little delay as possible, and information has been given to this effect to Gen. Andreossy.

No. 24.—*Extract of a dispatch from Lord St. Helens to Lord Hawkesbury, dated Petersburgh, July 20, 1802.*—I have since renewed my applications to this government on the business of Malta, and have some reason to hope that some impression has been made on the mind of his Imperial Majesty. The French Minister, however, has not yet received his instructions; and till they arrive, it will of course be impossible for me to take the requisite steps for bringing this affair to any satisfactory, or even positive issue.

No. 25.—*Extract of a dispatch from Lord St. Helens to Lord Hawkesbury, dated Petersburgh, August 3, 1802.*—I must not omit to acquaint your lordship, that although in order to prevent any further waste of time, I have thought it right to endeavour to obtain a definitive explanation of the intentions of this court, with relation to the proposed guaranty, I have not yet been enabled to demand it officially, according to the terms of the treaty of Amiens, as the French minister here is still without instructions authorizing him to join with me in that instance.

No. 26.—*Extract of a dispatch from the Hon. A. Paget to Lord Hawkesbury, dated Vienna, 18th July, 1802.*—On the 15th instant, M. de Champagny and I met at a conference at the Vice Chancellor's, to whom we presented our respective notes, copies of which I have the honour to enclose, marked A. and B.

(Inclosure A. referred to in No. 26.)—Translation.—The undersigned, his Britannic Majesty's envoy extraordinary and minister plenipotentiary, has the honour to transmit herewith to the vice chancellor of court and state, a copy of the 10th article of the treaty of Amiens. He has, at the same time, the honour to acquaint his excellency that he has received orders from his court to invite his Majesty the Emperor and King, conformable to the 13th paragraph of that article, to give his guarantee to the arrangements stipulated therein. He therefore requests the vice chancellor of court and state, to lay this communication before his Imperial Majesty. The undersigned avails himself, with pleasure, of this opportunity to reiterate to his excellency the expression of his most distinguished consideration. ARTH. PAGET.

Vienna, 15th July, 1802.

(Inclosure B. referred to in No. 26.)—Translation.—The ambassador of the French Republic, on the invitation which has been given him by Mr. Paget, his Britannic Majesty's minister plenipotentiary and envoy extraordinary, hastens in conjunction with that minister, to communicate to the vice chancellor of court and state, the 10th article of the treaty of Amiens, concerning the Order and Island of Malta, the sixth paragraph of which article places the independency of the Island of Malta under the guarantee of his Imperial Majesty, and several other powers of Europe. In taking this step, the ambassador, who has not yet received any orders respecting it, acts from the knowledge he has of the intention of his government to execute all the stipulations of the treaties it has concluded. The ambassador seizes, with eagerness, this opportunity to offer to his excellency the assurances of his high consideration. CHAMPAGNY.

Vienne, 26 Messidor, Year 10.

Count Cobentzel.

No. 27.—*Extract of a dispatch from the Hon. A. Paget to Lord Hawkesbury, dated Vienna, 22d August, 1802.*—I have the honour herewith to transmit to your lordship the emperor's act of guarantee and accession to the 10th article of the treaty of Amiens.

(Inclosure referred to in No. 27.)—Translation.—The Emperor and King having been invited by his Britannic Majesty and the First Consul of the French Republic, to accede to the stipulations contained in the 10th article of the treaty concluded and signed at Amiens on the 29th of March, 1802, (4th Germinal, year 10), respecting the Order of St. John of Jerusalem; and also to take under his protection and guarantee, conjointly with the other powers cited in the sixth paragraph of the said article, whatever was therein especially stipulated on the subject of the Island of Malta: and his Imperial and Royal Apostolic Majesty having been at the same time informed that the two above-mentioned powers adopted on their part the concert which had been entered into by the two imperial courts, previous the exchange of the ratifications of the above-mentioned treaty of Amiens, to leave to the Pope the selection of a Grand Master from amongst the candidates nominated for that purpose by the priories of the Order. His Majesty the Emperor and King, desirous on the present occasion of exhibiting a fresh proof of his sincere friendship for his Majesty the King of Great Britain, and for the First Consul of the French Republic, has empowered and instructed his grand chamberlain and cabinet minister Count Francis of Colloredo, and his vice chancellor of court and state Count Louis of Cobenzel, to proceed in his name to the accession and guarantee of the stipulations of the 10th article of the afore-mentioned treaty; who, in virtue thereof, declare that his Majesty accedes, by the present act, to the stipulations contained in this ar-

ticle, with the clause herein-before referred to, respecting the mode of the next election of the Grand Master of the Order; and his Majesty specifically guarantees whatsoever is therein regulated, with regard to the independence of the Islands of Malta, Gozo, and Comino. In witness whereof we, the plenipotentiaries of his Imperial, Royal, and Apostolic Majesty, have signed the present act of accession and of guarantee; have thereunto affixed the seal of our arms, and have exchanged it against the acts of acceptation, delivered in the name of his Majesty the King of Great Britain, and of the First Consul of the French Republic. Which acts of accession, of guarantee, and of acceptation, shall be ratified in the space of four weeks, or sooner, if it can be done.—Done at Vienna, the 20th of August, 1802.

(L. S.) FRA. COUNT OF COLLOREDO.
(L. S.) LEWIS COUNT OF COBENZEL.

No. 28.—*Extract of a dispatch from Mr. Casamajor to Lord Hawkesbury, dated Berlin, August* 21, 1802.—Having opened the subject of your lordship's last dispatch, relative to the accession of this court to the arrangement stipulated in the 10th article of the treaty of Amiens, to Mr. Bignon, this gentleman undertook very willingly to mention the same to his government, and has in fact already performed his promise. In several conversations with Mr. Bignon, in which I have occasionally remarked that nothing had hitherto been said to me here upon the subject of Malta, he has constantly affected the greatest indifference, and treated it as a business of too little importance to occupy the attention of the French government.

No. 29.—*Extract of a dispatch from Mr. Casamajor to Lord Hawkesbury, dated Berlin, August* 31, 1802.—Mr. Bignon received last night instructions from the French government, to invite the King of Prussia, conjointly with me, to accede to the guarantee of the independence of the Island of Malta, and of the other stipulations relating to that Island, which are contained in the 10th article of the definitive treaty of Amiens. Mr. Bignon sent to me immediately, and we propose to meet to-morrow for the purpose of preparing a note upon this subject, of which we shall each present a copy to Count Haugwitz.

No. 30.—*Extract of a dispatch from Mr. Casamajor to Lord Hawkesbury, dated Berlin, October* 2, 1802.—My note upon the subject of the guarantee of Malta remains unanswered.

No. 31.—*Extract of a dispatch from Mr. Jackson to Lord Hawkesbury, dated Berlin, November* 25, 1802.—At my first interview with Count Haugwitz, I told him that the only subject in suspense between our two courts, to which I need call his immediate attention, was that of the guaranty of Malta, on which an answer is still due from him. He adverted to what he had told Mr. Casamajor of the King his master having ordered a report to be made to him, on the state of the commanderies in Silesia, hinting, that this country took a very slight interest in the fate of the Island; and that he was countenanced in withholding its guaranty *by the example of Spain.* He, however, added, that the report in question had been made to the King, and that he only waited his Majesty's commands to confer with me farther upon the subject.

No. 32.—*Extract of a dispatch from Mr. Garlike to Lord Hawkesbury, dated Petersburgh, September* 17, 1802.—The French minister has at length been directed by his government to make, conjointly with his Majesty's minister here, a formal invitation to the Emperor of Russia for his Imperial Majesty's guaranty of the stipulations of the treaty of Amiens, which provide for the independence of the Islands of Malta, Gozo, and Comino, and of the other arrangements of that article.

No. 33.—*Extract of a dispatch from Sir John Borlase Warren to Lord Hawkesbury, dated St. Petersburgh, November* 18, 1802.—On the third instant I waited upon the chancellor with General Hedouville, when the note of invitation for his Imperial Majesty's guaranty of the 10th article of the treaty of Amiens, was presented by each of us. General de Hedouville entered into various reasons to induce the Russian government to grant the guaranty; the principal of which was to prove, that without the guaranty of Russia, either of the two powers, upon the first difference between them, would look upon themselves at liberty to seize upon the Island, which was only important in a military point of view; and the only alteration he should make in his invitation was, that the Island might be delivered up to the Neapolitan troops. He added, that the act of guaranty would not be considered as affecting the arrangement of any particular power with the Order, or of any alteration that power might wish to make in the baillages, or that part belonging to itself, *as Spain had already done.*

No. 34.—*Extract of a dispatch from Sir J. B. Warren to Lord Hawkesbury, dated Petersburgh, 25th November,* 1802.—The chancellor appointed yesterday evening for delivering to me, and to the French minister, the answer of the Russian government to his Majesty's invitation for his Imperial Majesty's accession to the 10th article of the treaty of Amiens.

(Inclosure referred to in No. 34.)—Translation.—Conditions upon which his Imperial Majesty of all the Russias is willing to accede to the Stipulations of the 10th Article of the

Treaty of Amiens.—I. The acknowledgement of the sovereignty of the Order of St. John of Jerusalem over the Island of Malta, and its dependencies; the acknowledgement of the Grand Master, and of the civil government of the Order, according to its ancient institutions, with the admission into it of native Maltese. Upon this point, as well as upon every other that may relate to its interior organization, the legal government of the Order shall have the power to enact and prescribe such regulations as it may judge best calculated to promote the future welfare and prosperity of the Order.—II. The rights of the King of the Two Sicilies, as Suzerain of the Island, shall remain upon the same footing as they were previous to the war which is now terminated by the treaty of Amiens.—III. The independence and neutrality of the Island of Malta, its ports and dependencies, shall be secured and guarantied by the respective contracting powers, who shall mutually engage to acknowledge and maintain that neutrality in all cases of war; whether between each other, or between any of them and any other power, not excepting his Sicilian Majesty, whose rights of suzerainty shall not extend so as to enable him to cause a departure from the neutrality of the Island, as guarantied by the present act.—IV. Until the Order shall be in a situation to provide, by its own resources, for the maintenance of its independence and neutrality, as secured by the preceding article, as well as for the defence of their principal residence, the different forts shall be occupied by his Sicilian Majesty's troops, who shall send a sufficient force for the defence of the Island and its dependencies, the number of which shall be agreed upon by his said Majesty and the two contracting powers, who shall take upon themselves conjointly, the expence of maintaining the whole of the said troops, so long as the defence of the Island shall continue to be entrusted to them, during which period the said troops shall be under the authority of the Grand Master and his government.—V. The present additional act shall be considered as forming an integral part of the treaty of Amiens, the same as if it had been inserted therein, word for word, and shall be executed in like manner.—VI. Their Majesties the Emperor of all the Russias, the Emperor of the Romans, the King of Spain, the King of the Two Sicilies, and the King of Prussia, shall be invited to accede to this act as guarantees.

COMTE ALEXANDRE DE WORONZOW.

Paris, January 27, 1803.

No. 35.—My Lord, I have to report to your lordship the purport of a conversation I had on Tuesday last by appointment with M. Talleyrand. He had invited me some days ago for this purpose. The communication he had to make to me related to two points, both equally important, as he said, to the maintenance of good harmony between the two countries; with this difference, however, that the one originated with himself, and was dictated by his anxiety to do away every thing which might feed the mutual irritation of the two countries; and the other by the express order of the First Consul. That which came from himself related to the English newspapers, against which he pronounced a most bitter philippic, assuring me that the First Consul was extremely hurt to find that his endeavours to conciliate had hitherto produced no other effect than to increase the abuse with which the papers in England continually loaded him. He expatiated much upon this topic; and endeavoured to establish a fact, which I assured him a reference to any one newspaper in Paris would instantly refute, that during four months not a word of provocation had appeared in any French journal, which could justify a retort from those published in England. For the rest he advanced nothing but what has been said on more than one occasion to Mr. Merry, and reported by him to your lordship. I was, however, given to understand, that the First Consul was in fact highly incensed, and the more so, he was pleased to say, as it came from a country of whose good opinion he was so very ambitious. In my reply, I could but go over the old ground, and endeavour to make M. Talleyrand understand—first, that whatever was said in the English papers might be considered but as a national retaliation for what was published in the French papers—secondly, that what was *officially* published here was by no means so in England—and thirdly, that although the government possessed a controul over the press in France, the English government neither had nor could have, unless they purchased it at the same price, any whatever in England. Upon this he endeavoured to prove to me, that there were papers in England attached to different parties, and went over their names and supposed connections with great precision; and that consequently his Majesty's ministers might so far controul those at least which depended upon them, as to prevent their inserting that abuse which must be considered as having their sanction. I endeavoured to explain to him what the influence was, which he supposed ministers to possess in England; that it amounted to nothing more than a preference which your lordship for instance might give to one paper rather than to another, by sending to it any articles of news which it might be wished to make public; but that your lordship's influence went no further; and that if the editor of such a paper conceived it more for his interest to continue to write after his own fancy and uncon-

trouled, than to be the publisher of such occasional articles, in that case all influence was at an end. I told him, that if he had remarked any abusive article in any paper of such a description, it was natural and fair to conclude that it did not depend upon government to prevent it. He persisted in his opinion, that his Majesty's ministers might keep certain papers in order, as I did in assuring him, that until the First Consul could so far master his feelings as to be as indifferent to the scurrility of the English prints, as the English government was to that which daily appeared in the French, this state of irritation was irremediable. I told him however, that I would report the substance of this communication to your lordship, although I could assure him that your lordship could add nothing to the explanation which had been given, and in such detail by Mr. Merry from your lordship. M. Talleyrand, with great solemnity, required of me to inform him, and this by the express order of the First Consul, what were his Majesty's intentions with regard to the evacuation of Malta. He again on this occasion made great professions of his sincere desire to set aside every thing which could interrupt the good understanding between the two governments; adding, that it was absolutely necessary that the French government should know what it was meant to do, when that clause in the Treaty of Amiens, which stipulates the cession of Malta, should be fully accomplished. He said that another Grand Master would now very soon be elected; that all the powers of Europe invited so to do, with the exception of Russia, whose difficulties it was easy to remove, and without whom the guaranty would be equally complete, were ready to come forward; and that consequently the term would very soon arrive, when Great Britain could have no pretext for keeping longer possession. I informed him that I would report his conversation to your lordship, and would have the honour of communicating to him your lordship's answer as soon as I could receive it. I have the honour to be, &c. WHITWORTH.

Right Hon. Lord Hawkesbury, &c.

Downing-street, February 9, 1803.

No. 36.—My Lord, in answer to your excellency's dispatch of January 27, relative to the inquiry made of you, by the French government, on the subject of Malta, I can have no difficulty in assuring you, that his Majesty has entertained a most sincere desire that the Treaty of Amiens might be executed in a full and complete manner; but it has not been possible for him to consider this treaty as having been founded on principles different from those which have been invariably applied to every other antecedent treaty or convention, namely, that they were negociated with reference to the actual state of possession of the different parties, and of the treaties or public engagements by which they were bound at the time of its conclusion; and that if that state of possession, and of engagements, was so materially altered by the act of either of the parties as to affect the nature of the compact itself, the other party has a right, according to the law of nations, to interfere for the purpose of obtaining satisfaction or compensation for any essential difference which such acts may have subsequently made in their relative situation; that if there ever was a case to which this principle might be applied with peculiar propriety, it was that of the late treaty of peace; for the negotiation was conducted on a basis not merely proposed by his Majesty, but specially agreed to in an official note by the French government, viz. that his Majesty should keep a compensation out of his conquests for the important acquisitions of territory made by France upon the Continent. This is a sufficient proof that the compact was understood to have been concluded with reference to the then existing state of things; for the measure of his Majesty's compensation was to be calculated with reference to the acquisitions of France at that time; and if the interference of the French government in the general affairs of Europe, since that period; if their interposition with respect to Switzerland and Holland, whose independence was guaranteed by them at the time of the conclusion of the treaty of peace; if the annexations which have been made to France in various quarters, but particularly those in Italy, have extended the territory and increased the power of the French government, his Majesty would be warranted, consistently with the spirit of the treaty of peace, in claiming equivalents for these acquisitions, as a counterpoise to the augmentation of the power of France. His Majesty, however, anxious to prevent all ground of misunderstanding, and desirous of consolidating the general peace of Europe, as far as might be in his power, was willing to have waived the pretensions he might have a righ to advance of this nature; and as the other articles of the definitive treaty have been in a course of execution on his part, so he would have been ready to have carried into effect the true intent and spirit of the 10th article, the execution of which, according to its terms, had been rendered impracticable by circumstances which it was not in his Majesty's power to controul. A communication to your lordship would accordingly have been prepared conformably to this disposi-

tion, if the attention of his Majesty's government had not been attracted by the very extraordinary publication of the report of Colonel Sebastiani to the First Consul. It is impossible for his Majesty to view this report in any other light than as an official publication; for without referring particularly to explanations which have been repeatedly given upon the subject of publications in the Moniteur, the article in question, as it purports to be the report to the First Consul of an accredited agent, as it appears to have been signed by Col. Sebastiani himself, and as it is published in the official paper, with an official title prefixed to it, must be considered as authorised by the French Government. This report contains the most unjustifiable insinuations and charges against the officer who commanded his forces in Egypt, and against the British army in that quarter, insinuations and charges wholly destitute of foundation, and as such as would warrant his Majesty in demanding that satisfaction, which on occasions of this nature, independent powers in a state of amity have a right to expect from each other. It discloses, moreover views in the highest degree injurious to the interests of his Majesty's dominions, and directly repugnant to, and utterly inconsistent with, the spirit and letter of the treaty of peace, concluded between his Majesty and the French government; and his Majesty would feel that he was wanting in a proper regard to the honor of his crown, and to the interests of his dominions, if he could see with indifference such a system developed and avowed. His Majesty cannot, therefore, regard the conduct of the French government on various occasions since the conclusion of the definitive treaty, the insinuations and charges contained in the report of Colonel Sebastiani, and the views which that report discloses, without feeling it necessary for him distinctly to declare, that it will be impossible for him to enter into any further discussion relative to Malta, unless he receives satisfactory explanation on the subject of this communication. Your Excellency is desired to take an early opportunity of fully explaining his Majesty's sentiments as above stated, to the French government. I am, &c,

HAWKESBURY.

His Excellency, Lord Whitworth, K. B. &c.

No. 37.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, February* 17, 1803.—I have the honour to acquaint your lordship that I saw M. de Talleyrand on Tuesday last, for the purpose of carrying into effect your lordship's instructions of the 9th instant, I began by telling him that I had nothing new to communicate to him; but merely to confirm officially that which I had already from myself premised. I did not however pass over with the same indifference, the arguments with which your lordship has furnished me. I recapitulated them all; the principle on which the treaty of Amiens was founded; and the right which naturally arose from that principle, of interference on our part for the purpose of obtaining satisfaction or compensation, for any essential differences which may have arisen in the relative situation of the two countries. I instanced the cases, beginning with Italy and concluding with Switzerland, in which the territory or influence of France had been extended subsequent to the treaty of Amiens. I represented to him that this principle of compensation had been fully and formally admitted by the French government, in the course of the negotiation at Amiens. I then told him that notwithstanding the indisputable right which his Majesty might have derived of claiming some counterpoise for such acquisitions, instructions would have been given me, by which I should have been empowered to declare his Majesty's readiness to carry into effect the full intent of the 10th article of the treaty, if the attention of his Majesty's government had not been roused by the official publication of Colonel Sebastiani's report to the First Consul. It was useless to recapitulate the particulars of this very extraordinary report; but I appealed to him whether it was not of a nature, exclusive of the personal allusions it contained, to excite the utmost jealousy in the minds of his Majesty's ministers, and to demand on their part every measure of precaution. I concluded with the distinct declaration, that it was impossible for his Majesty to enter into any further discussion relative to Malta, unless he received satisfactory explanations on the subject of the First Consul's views. M. de Talleyrand in his reply, did not attempt to dispute the drift of my argument. He admitted, with an affected tone of candour, that the jealousy we felt on the score of Egypt, with a view to our possessions in India, was natural. But he could not admit that any thing had appeared in the conduct of the French government in justification of the alarm we expressed. After repeating what he had said to me in a former conversation, on the subject of Sebastiani's mission, which he asserted to be *strictly commercial*, he expatiated at great length on the sincere desire of the First Consul to maintain inviolable the peace which had been so lately concluded; adding, that the situation of the French finances was such, that were not this desire of peace in the First Consul an effect of system, it would be most imperiously dictated to him by the total impossibility in which this country found itself of carrying on that extensive state of warfare, which even a partial rupture would naturally lead to. He expressed great surprize, therefore, that any suspicion should attach, when the means of disturbing the public tranquillity were, as must be

well known in England, so completely wanting; and desired to know what was the nature and degree of satisfaction which his Majesty would require. On this I told him, that I could not pretend to say by what means those apprehensions, which the conduct of this government had raised in England, were to be allayed; but I could assure him, that in the discussion of them, we should be animated solely by a sincere desire to be convinced of the truth of his assertions, since on that depended the peace and happiness of Europe. I took this opportunity of assuring him, that although, according to his statement of the situation of France, we might possess in a greater degree the means of supporting the expence of a war, since those means arose from sources which even a state of warfare did not dry up, yet such was his Majesty's sincere desire of maintaining peace, that nothing but absolute and unavoidable necessity would ever induce him to deprive his subjects of the blessings which they begin to enjoy.

Paris, February 21, 1803.

No. 38.—My lord, my last dispatch, in which I gave your lordship an account of my conference with M. de Talleyrand, was scarcely gone, when I received a note from him, informing me that the First Consul wished to converse with me, and desired I would come to him at the Thuilleries at nine o'clock. He received me in his cabinet, with tolerable cordiality, and, after talking on different subjects for a few minutes, he desired me to sit down, as he himself did on the other side of the table, and began. He told me, that he felt it necessary after what had passed between me and M. de Talleyrand that he should in the most clear and authentic manner, make known his sentiments to me in order to their being communicated to his Majesty; and he conceived this would be more effectually done by himself than through any medium whatever. He said, it was a matter of infinite disappointment to him, that the treaty of Amiens, instead of being followed by conciliation and friendship, the natural effects of peace, had been productive only of continual and increasing jealousy and mistrust; and that this mistrust was now avowed in such a manner as muft bring the point to an issue. He now enumerated the several provocations which he pretended to have received from England. He placed in the first line our not evacuating Malta and Alexandria as we were bound to do by treaty. In this he said that no consideration on earth should make him acquiesce; and of the two he had rather see us in possession of the Fauxbourg St. Antoine than Malta. He then adverted to the abuse thrown out against him in the English public prints; but this he said, he did not so much regard as that which appeared in the French papers published in London. This he considered as much more mischievous, since it was meant to excite this country against him and his government. He complained of the protection given to Georges and others of his description, who instead of being sent to Canada, as had been repeatedly promised, were permitted to remain in England, handsomely pensioned, and constantly committing all sorts of crimes on the coasts of France, as well as in the interior. In conformation of this, he told me, that two men had within these few days been apprehended in Normandy, and were now on their way to Paris, who were hired assassins, and employed by the bishop of Arras, by the baron de Rolle, by Georges, and by Dutheil, as would be fully proved in a court of juftice, and made known to the world. He acknowledged, that the irritation he felt againft England increased daily, because every wind (I make use as much as I can of his own ideas and expressions) which blew from England brought nothing but enmity and hatred against him. He now went back to Egypt, and told me, that if he had felt the smallest inclination to take possession of it by force, he might have done it a month ago, by sending twenty-five thousand men to Aboukir, who would have possessed themselves of the whole country in defiance of the four thousand British in Alexandria. That instead of that garrison being a means of protecting Egypt, it was only furnishing him with a pretence for invading it. *This he should not do, whatever might be his desire to have it as a colony, because he did not think it worth the risk of a war, in which he might, perhaps, be considered as the aggressor, and by which he should lose more than he could gain, since sooner or later Egypt would belong to France, either by the falling to pieces of the Turkish Empire, or by some arrangement with the Porte.* As a proof of his desire to maintain peace, he wished to know what he had to gain by going to war with England. A descent was the only means of offence he had, and that he was determined to attempt, by putting himself at the head of the expedition. But how could it be supposed, that after having gained the height on which he stood, he would risk his life and reputation in such a hazardous attempt, unless forced to it by necessity, when the chances were that he and the greatest part of the expedition would go to the bottom of the sea. He talked much on this subject, but never affected to diminish the danger. He acknowledged that there were one hundred chances to one against him; but still he was determined to attempt it, if war should be the consequence of the present discussion; and that such was the disposition of the troops, that army after army would be found for the enterprize. He then expatiated much on the natural force of the two countries. France with an army of four hundred and

eighty thousand men, for to this amount, it is, he said, *to be immediately completed*, all ready for the most desperate enterprizes; and England with a fleet that made her mistress of the seas, and which he did not think he should be able to equal in less than ten years. Two such countries by a proper understanding might govern the world, but by their strifes might overturn it. He said, that if he had not felt the enmity of the British government on every occasion since the Treaty of Amiens, there would have been nothing that he would not have done to prove his desire to conciliate; participation in indemnities as well as in influence on the Continent; treaties of commerce; in short, any thing that could have given satisfaction, and have testified his friendship. Nothing, however, had been able to conquer the hatred of the British government, and therefore it was now come to the point, whether we should have peace or war. To preserve peace the Treaty of Amiens must be fulfilled; the abuse in the public prints, if not totally suppressed, at least kept within bounds, and confined to the English papers; and the protection so openly given to his bitterest enemies (alluding to Georges and persons of that description) must be withdrawn. If war, it was necessary only to say so, and to refuse to fulfil the treaty. He now made the tour of Europe to prove to me, that in its present state, there was no power with which we could coalesce for the purpose of making war against France; consequently it was our interest to gain time, and if we had any point to gain renew the war when circumstances were more favourable. He said, it was not doing him justice to suppose, that he conceived himself above the opinion of his country or of Europe. He would not risk uniting Europe against him by any violent act of aggression; neither was he so powerful in France as to persuade the nation to go to war unless on good grounds. He said, that he had not chastised the Algerines, from his unwillingness to excite the jealousy of other powers, but he hoped that England, Russia, and France would one day feel that it was their interest to destroy such a nest of thieves, and force them to live rather by cultivating their land than by plunder. In the little I said to him, for he gave me in the course of two hours but very few opportunities of saying a word, I confined myself strictly to the tenor of your lordship's instructions. I urged them in the same manner as I had done to M. de Talleyrand, and dwelt as strongly as I could on the sensation which the publication of Sebastiani's report had created in England, where the views of France towards Egypt must always command the utmost vigilance and jealousy. He maintained that what ought to convince us of his desire of peace, was on the one hand the little he had to gain by renewing the war, and on the other the facility with which he might have taken possession of Egypt with the very ships and troops which were now going from the Mediterranean to St. Domingo, and that with the approbation of all Europe, and more particularly of the Turks, who had repeatedly invited him to join with them for the purpose of forcing us to evacuate their territory. I do not pretend to follow the arguments of the First Consul in detail; this would be impossible, from the vast variety of matter, which he took occasion to introduce. His purpose was evidently to convince me that on Malta must depend peace or war, and at the same time to impress upon my mind a strong idea of the means he possessed of annoying us at home and abroad. With regard to the mistrust and jealousy which he said constantly prevailed since the conclusion of the Treaty of Amiens, I observed that after a war of such long duration, so full of rancour, and carried on in a manner of which history has no example, it was but natural that a considerable degree of agitation should prevail; but this, like the swell after a storm, would gradually subside, if not kept up by the policy of either party; that I would not pretend to pronounce which had been the aggressor in the paper war of which he complained, and which was still kept up, though with this difference, that in England it was independent of government, and in France its very act and deed. To this I added, that it must be admitted that we had such motives of mistrust against France as could not be alleged against us, and I was going to instance the accession of territory and influence gained by France since the treaty, when he interrupted me by saying, I suppose you mean Piedmont and Switzerland; "ce sont des Bagatelles:" and it must have been foreseen whilst the negotiation was pending; "Vous n' avez pas le droi d'en parler à cette heure." I then alleged as a cause of mistrust and of jealousy, the impossibility of obtaining justice or any kind of redress for any of his Majesty's subjects. He asked me in what respect; and I told him that since the signing of the treaty, not one British claimant had been satisfied, although every Frenchman of that description had been so within one month after that period; and that since I had been here, and I could say as much of my predecessors, not one satisfactory answer had been obtained to the innumerable representations which we had been under the necessity of making in favour of British subjects and property detained in the several ports of France and elsewhere, without even a shadow of justice: such an order of things, I said, was not made to inspire confidence; but, on the contrary, must create mistrust. This, he said, must be attributed to the natural difficulties attending such suits, when both parties thought themselves right; but he denied that such delays could pro-

ceed from any disinclination to do what was just and right. With regard to the pensions which were granted to French or Swiss individuals, I observed that they were given as a reward for past services during the war, and most certainly not for present ones, and still less for such as had been insinuated, of a nature repugnant to the feelings of every individual in England, and to the universally acknowledged loyalty and honour of the British government. That as for any participation of indemnities, or other accessions which his Majesty might have obtained, I could take upon myself to assure him that his Majesty's ambitition led him rather to preserve than to acquire. And that with regard to the most propitious moment for renewing hostilities, his Majesty, whose sincere desire it was to continue the blessings of peace to his subjects, would always consider such a measure as the greatest calamity: but that if his Majesty was so desirous of peace, it must not be imputed to the difficulty of obtaining allies; and the less so, as those means which it might be necessary to afford such allies, for perhaps inadequate services, would all be concentrated in England, and give a proportionate increase of energy to our own exertions. At this part of the conversation he rose from his chair, and told me that he should give orders to General Andréossy to enter on the discussion of this business with your lordship; but he wished that I should, at the same time, be made acquainted with his motives, and convinced of his sincerity, rather from himself than from his ministers. He then, after a conversation of two hours, during the greatest part of which he talked insessantly, conversed for a few moments on indifferent subjects, in apparent good humour, and retired. Such was nearly, as I can recollect, the purport of this conference. It must, however, be observed, that he did not, as M. Talleyrand had done, affect to attribute Colonel Sebastiani's mission to *commercial motives only*, but as one rendered necessary in a military point of view, by the infraction by us of the treaty of Amiens. I have the honour to be, &c.

WHITWORTH.

P. S. This conversation took place on Friday last, and this morning I saw M. de Talleyrand. He had been with the First Consul after I left him, and he assured me that he had been very well satisfied with the frankness with which I had made my observations on what fell from him. I told him, that without entering into any farther detail, what I had said to the First Consul amounted to an assurance, of what I trusted there could be no doubt, of the readiness of his Majesty's ministers to remove all subjects of discussion, where that could be done without violating the laws of the country, and to fulfil strictly the engagements which they had contracted, in as much as that could be reconciled with the safety of the state. As this applied to Malta and Egypt, he gave me to understand that a project was in contemplation, by which the integrity of the Turkish empire would be so effectually secured as to do away every cause of doubt or uneasiness, either with regard to Egypt or any part of the Turkish dominions. He could not then, he said, explain himself farther. Under these circumstances no one can expect that we should relinquish that assurance which we have in hand, till something equally satisfactory is proposed.

WHITWORTH.

The Right Hon. Lord Hawkesbury, &c.

Downing-street, Feb. 28th, 1803.

No. 39.—My Lord, Your excellency's dispatch, of February 21st, has been received, and laid before the King. I have great satisfaction in communicating to you his Majesty's entire approbation of the able and judicious manner in which you appear to have executed the instructions which I gave to you in my dispatch of the 9th instant. The account you have given of your interview with the First Consul, is in every respect important. It is unnecessary for me to remark on the tone and temper in which the sentiments of the First Consul appear to have been expressed, or to offer any observations in addition to those so properly made by your excellency at the time, upon several of the topics which were brought forward by the First Consul in the course of your conversation; I shall therefore content myself with referring your excellency to my dispatch to Mr. Merry of August 28, 1802, in which the subject of the complaints of the French government, respecting the freedom of the press, the emigrants, &c. are particularly discussed. I cannot, however, avoid noticing, that nothing approaching to explanation or satisfaction is stated to have been thrown out by the First Consul, in answer to the just representations and complaints of his Majesty, in consequence of the unwarrantable insinuations and charges contained in Colonel Sebastiani's report against his Majesty's government,—the officer commanding his forces in Egypt, and his army in that quarter: but that, on the other hand, the language of the First Consul has tended to strengthen and confirm the suspicions which that publication was peculiarly calculated to excite. I shall now proceed to give you some farther instructions on the language which it may be proper for you to hold respecting the charge which has been advanced

against his Majesty's government, of their unwillingness to fulfil the treaty of Amiens. The treaty of Amiens has been in a course of execution, on the part of his Majesty, in every article in which, according to the spirit of that treaty, it has been found capable of execution. There cannot be the least doubt, that Egypt is at this time completely evacuated. The delay which had arisen in the evacuation of Alexandria, was owing to accidental circumstances, the particulars of which were explained to you in my dispatch of the 30th November last; and I had every reason to believe, from the communication I had with General Andrèossy on the subject, that the French government were perfectly satisfied with the explanation which he was authorized at the time to give them respecting it. With regard to that article of the treaty which relates to Malta, the stipulations contained in it (owing to circumstances which it was not in the power of his Majesty to controul), have not been found capable of execution. The refusal of Russia to accede to the arrangement, except on condition that the Maltese langue should be abolished; the silence of the Court of Berlin with respect to the invitation that has been made to it, in consequence of the treaty, to become a guarantying power; the abolition of the Spanish priories, in defiance of the treaty to which the King of Spain was a party; the declaration of the Portuguese government of their intention to sequestrate the property of the Portuguese priory, as forming a part of the Spanish langue, unless the property of the Spanish priories is restored to them; the non-election of a Grand Master: these circumstances would have been sufficient, without any other special grounds, to have warranted his Majesty in suspending the evacuation of the Island, until some new arrangement could be adjusted for its security and independence. But when it is considered how greatly the dominion, power, and influence of France have of late been extended, his Majesty must feel, that he has an incontestible right, conformably to the principles on which the treaty of peace was negociated and concluded, to demand additional securities in any new arrangement which it might be necessary to make with a view of effecting the real objects of that treaty. And these considerations, sufficient as they might be in themselves to justify the line of conduct which his Majesty had determined to adopt, have received additional force from the views which have been recently and unreservedly manifested by the French government, respecting the Turkish dominions, and the islands in the Adriatic (*and which have been in a great degree admitted by the First Consul, in his interview with your excellency*); views which are directly repugnant, not only to the spirit, but to the letter of the treaty of Amiens. From the postscript in your excellency's letter, it appears that a project was in contemplation, by which, according to the declaration of Mr. Talleyrand, the integrity of the Turkish territory would be secured so as to do away every cause of doubt or uneasiness either with regard to Egypt or to any other part of the Turkish dominions. His Majesty will consider the communication of such a project as indicating a disposition, on the part of the French government, to afford him explanation and satisfaction respecting some of the points which have been the subject of his representation. But after all that has passed, his Majesty cannot consent that his troops should evacuate the Island of Malta, until substantial security has been provided for those objects, which, under the present circumstances, might be materially endangered by their removal. I am, &c.

HAWKESBURY.

His Excellency Lord Whitworth, &c.

Paris, 5th March, 1803.

No. 40.—My Lord, I saw M. de Talleyrand yesterday, and acquitted myself of your lordship's instructions. I recapitulated the several arguments therein contained, dwelling particularly on the open avowal of the First Consul's views in Egypt; and concluding with the resolution of his Majesty not to withdraw his troops from Malta, until some security should be given, that by so doing his Majesty should not expose the safety of his own dominions. He heard me with great patience, and in answer endeavoured, as before, to convince me that there was no reason whatever for the apprehensions which we entertained. That it was true, the acquisition of Egypt had been, and perhaps still was, a favourite object of the First Consul, but that it was not so much so as to allow him to go to war for its attainment. I then told him that what had in a particular manner excited the attention of your lordship, in my last report, was the assurance he had given me of some project being in contemplation, whereby the integrity of the Turkish empire would be so insured, in all its parts, as to remove every doubt or apprehension. I begged him, therefore, to explain himself on this subject, which I conceived to be of the utmost importance; since it was only by such means that both parties could be satisfied. He then gave me to understand, that what he had termed a project was nothing more than what had been expressed in the First Consul's message to the legislative body, when he says, that there is a French ambassador at

Constantinople, who is charged to give every assurance of the disposition of France to strengthen, instead of to weaken, that government. I expressed a doubt whether this, or any other parole security, would be considered as sufficient in such a transaction. Hereupon he repeated the question—What then is the security which you require, and which the First Consul can give? This, I told him, must be the subject of the negotiation on which we were willing to enter; and I trusted that the French government would bring into it the same temper, and the same real desire to conciliate, which was manifested by his Majesty's ministers. M. de Talleyrand now informed me, that the First Consul had, five or six days ago, ordered instructions to be sent to General Andréossy, by which he was to require an immediate and categorical answer to the plain question—Whether his Majesty would, or would not, cause Malta to be evacuated by the British troops? That he concluded this communication was already made, and that he expected to learn the result of it in a very few days; adding, that all the First Consul wanted was to know precisely on what he had to depend. I could not help lamenting this precipitate measure, since it could answer no good purpose, and would only tend to introduce into the discussion ill-humour and offended dignity, in the place of dispassionate reasoning. I begged him, however, to be prepared, and to prepare the First Consul, to meet with more opposition to his will than he had been accustomed to on similar occasions. I told him, that his Majesty was willing to discuss the point in dispute with fairness and candour, but certainly never would be intimidated into acquiescence; and I repeatedly urged, that if he wished well to the peace of the two countries, he should prepare the First Consul for the consequences which might naturally be expected from this step, and thus prevent the effect of any sudden gust of ill-humour. He was unwilling to admit that there could be any chance of satisfying the First Consul short of a compliance with his wishes, founded as he pretended on good faith. Our conversation ended here, and I wait the result of General Andréossy's communication with the utmost impatience. I have the honour to be, &c.

(Signed) WHITWORTH.

P. S. In the interval between the writing and the transcribing the above dispatch, I have taken another opportunity of seeing M. de Talleyrand, and I am glad to find, that (for what purpose I know not) he had represented the instructions to General Andréossy as much more absolute and offensive than they really are. I found him to-day entirely disposed to give me another opinion, and to convince me that the First Consul, far from wishing to carry matters to extremity, was desirous to discuss, fairly and without passion, a point, which he admitted was of importance to both countries. He repeatedly assured me, that much as the First Consul might have the acquisition of Egypt at heart, he would sacrifice his own feelings to the preservation of peace; and henceforth seek to augment his glory, by improving and consolidating the internal situation of the country, rather than by adding to its possessions. *Right Hon. Lord Hawkesbury, &c.* W.

No. 41.—*Note from General Andréossy to Lord Hawkesbury, dated March* 10, 1803.—*Translation.*—The undersigned ambassador and minister plenipotentiary of the French Republic to his Britannic Majesty, has received from the First Consul, express orders to require from the British government some explanations respecting the protracted occupation of the Island of Malta by the English troops. He had hoped that verbal communications would have been sufficient to have produced satisfactory expositions, by preparing the way for the mutual conciliation of minds and interests, a conduct which has been prescribed to him by his ardent zeal for the maintenance of harmony between the two countries, and of the peace of Europe, objects of the solicitude of the French government: but the undersigned thinks he can no longer delay complying with the instructions he had received, and he has therefore the honour of addressing the following observations to his Excellency Lord Hawkesbury, which recal to recollection the spirit and the leading features of the verbal communications which he has previously made to him. By the conditions of the fourth paragraph of the 10th article of the treaty of Amiens, the English troops were to evacuate the Island of Malta and its dependencies three months after the exchange of the ratifications. Ten months have elapsed since the ratifications have been exchanged, and the English troops are still at Malta. The French troops, on the contrary, who were to evacuate the Neapolitan and Papal states, have not waited the expiration of the three months which were granted to them to withdraw, and have quitted Tarentum, the fortifications of which they had re-established, and where they had collected 100 pieces of cannon. What can be alledged in justification of the delay in evacuating Malta? Has not the 10th article of the treaty of Amiens provided for every thing? And the Neapolitan troops being arrived, under what pretext do those of England still remain there? Is it because all the powers

enumerated in the 6th paragraph have not yet accepted the guaranty which is devolved upon them? But this is not a condition that relates to the evacuation of the island; and besides, Austria has already sent its act of guaranty: Russia itself has made only a single difficulty, which is done away by the accession of the First Consul to the modifications proposed, unless indeed England itself throws obstacles in the way, by refusing to accede to the proposals of Russia, which after all could not affect the engagements of his Britannic Majesty, who, according to the express conditions of the treaty, is to evacuate the island of Malta within three months, placing it under the guard of the Neapolitans, who are to garrison it, until the definitive arrangements of the Order are settled. It should therefore seem impossible, and it would be without example in the history of nations, were his Britannic Majesty to refuse to execute a fundamental article of the pacification, of the very one, which, in the drawing up of the preliminaries, was considered as the first, and as requiring to be settled previously to every other point. Indeed, the First Consul, who cordially relies on the intentions of his Britannic Majesty, and cannot suppose them to be less open and generous than those with which he is animated, has hitherto been unwilling to attribute the delay of the evacuation of the island of Malta, to any other than to maritime circumstances. The undersigned is, therefore, charged to require explanations on this point, and he is persuaded that the British ministry will be the more anxious to furnish such as will be satisfactory, as they must be sensible how necessary they are for the maintenance of harmony, and how important they are for the honour of the two nations. The undersigned avails himself of this opportunity to renew to Lord Hawkesbury the assurances of his high consideration.

(Signed) F. ANDREOSSY.

Portland-place, 10*th March*, 1803.

Paris, March 12, 1803.

No. 42.—My Lord, The messenger Mason arrived yesterday morning early, with your lordship's letter of the 7th, informing me, that in consequence of the preparations in the ports of France and Holland, which, though avowedly intended for colonial service, might, in the event of a rupture, be turned against some part of the British dominions, his Majesty had judged it expedient to send a message to both houses of parliament, recommending, in terms void of offence, the adoption of such measures as may be consistent with the honour of his crown, and the security of his dominions, and at the same time such as will manifest his Majesty's disposition for the preservation of peace. I beg leave to return your lordship my thanks for having apprized me of this circumstance by a special messenger; I found, however, on going to M. de Talleyrand, at two o'clock, that he was already informed of it. He was just setting out to communicate it to the First Consul, and appeared under considerable agitation. He returned with me to his Cabinet, and though he told me he was pressed for time, he suffered me to relate the circumstance without interruption. I endeavoured to make him sensible that this measure was merely precautionary, and not in the least degree intended as a menace. I concluded my observations by repeating that it was merely a measure of self-security, founded on the armaments which were carrying on in the ports of France and Holland, remarking at the same time, that had not even these armaments been as notorious as they were, the very circumstance of the First Consul's determination to augment so considerably his army in time of peace, would have been a full and sufficient motive for such a measure of precaution. M. de Talleyrand now informed me that he was already acquainted with the business; that a messenger had that morning arrived, who had brought him a copy of the message, which he communicated to me. I could draw from him no reply whatever to my observations. He confined himself strictly to the assurance which he has so repeatedly made, that there was no foundation whatever for the alarm which was felt by his Majesty's ministers; that the First Consul was pacific; that he had no thoughts whatever of attacking his Majesty's dominions, unless forced to do so by a commencement of hostilities on our part; that he should always consider the *refusal to evacuate Malta as such a commencement of hostilities*; and that as we had hitherto hesitated to do so, he was justified in adopting the measures which might eventually be necessary. He disclaimed every idea of the armaments fitting out in the Dutch ports having any other destination than to the colonies, and concluded that for his part, he could not comprehend the motives which had necessitated a resort to such a measure on the part of his Majesty's government. He then desired leave to go to the First Consul, promising that he would let me know the result when we met at dinner at the Prussian minister's. He did not come there till near seven o'clock, and when we rose from dinner, he took me aside, and informed me, that although the First Consul had been highly irritated at the unjust suspicion which his Majesty's government entertained, yet he would not allow himself to be

so far mastered by his feelings, as to lose sight of the calamities which the present discussion might entail upon humanity. He dwelt much on this topic, and explained the measures to which he should be obliged to resort; he said that if England wished to discuss fairly, he wished the same; that if England prepared for war he would do the same; and that if England should finally determine on hostilities, he trusted to the support of the French nation in the cause of honour and of justice. It was in vain that I repeated that England did not wish for war; that peace was as necessary to us as it could be to France; that all we desired, and all that we were contending for, was security; that every thing proved to us that that security was threatened by the First Consul's views on Egypt; and that consequently our refusal to evacuate Malta, was become as much a necessary measure of precaution, as the defence of any part of his Majesty's dominions. To this kind of reasoning M. de Talleyrand opposed the moderation of the First Cousul, his great self denial, and his determination to sacrifice even the most favourite points to his sincere desire to avoid a rupture. M. de Talleyrand now told me, that, in order to facilitate my communication of the First Consul's sentiments, he would communicate to me a paper which he had that morning drawn up with him; that it was not to be considered as any thing absolutely official; that it was a memorandum to assist me, but such as I might, if I chose, transmit to your Lordship. I now inclose it. I have the honour to be, &c. WHITWORTH.

Right Hon. Lord Hawkesbury, &c.

Note verbale, referred to in No. 42.——Translation.—I. If his Britannic Majesty in his message means to speak of the expedition of Helvoetfluys, all the world knows that it was destined for America, and that it was on the point of sailing for its destination, but in consequence of his Majesty's message, the embarkation and putting to sea are about to be countermanded.—II. If we do not receive satisfactory explanation respecting these armaments in England, and if they actually take place, *it is natural* that the First Consul should march 20,000 men into Holland, since Holland is mentioned in the message.—III. These troops being once in the country, *it is natural* that an encampment should be formed on the frontiers of Hanover; and, moreover, that additional bodies should join those troops which were already embarked for America, in order to form new embarkations, and to maintain an offensive and defensive position.—IV. *It is natural* that the First Cousul should order several camps to be formed at Calais, and on different points of the coasts.—V. It is likewise *in the nature of things*, that the First Consul, who was on the point of evacuating Switzerland, should be under the necessity of continuing a French army in that country.—VI. It is also *the natural consequence of all this*, that the First Consul should send a fresh force into Italy, in order to occupy, in case of necessity, the position of Tarentum.—VII. England arming, and arming with so much publicity, will compel France to put her armies on the war establishment, a step so important as cannot fail to agitate all Europe.

The result of all these movements will be to irritate the two countries still more. France will have been compelled to take all these precautions in consequence of the English armaments, and nevertheless every means will be taken to excite the English nation by the assertion, that France meditates an invasion. The whole British population will be obliged to put themselves under arms for their defence, and their export trade will, even before the war, be in a state of stagnation throughout the whole extent of the countries occupied by the French arms. The experience of nations, and the course of events prove, that the distance between such a state of things and actual hostility, is unfortunately not remote. As to the differences, of which mention is made in his Britannic Majesty's message, we know not of any that we have with England; for it cannot be imagined that a serious intention can have existed in England of evading the execution of the Treaty of Amiens, under the protection of a military armament. Europe well knows that it is possible to attempt the dismemberment of France, but not to intimidate her.

Paris, March 14, 1803.

No. 43.—My Lord, The messenger Mason went on Saturday with my dispatches of that date, and until yesterday (Sunday) I saw no one likely to give me any further information such as I could depend upon, as to the effect which his Majesty's message had produced on the First Consul. At the court which was held at the Thuilleries upon that day, he accosted me evidently under very considerable agitation. He began by asking me if I had any news from England. I told him that I had received letters from your lordship two days ago. He immediately said, and so you are determined to go to war. No! I replied, we are too sensible of the advantages of peace.—Nous avons, said he, déjà fait la guerre pendant quinze ans.—As he seemed to wait for an answer, I observed only, C'en est déja trop.—Mais, said he, vous voulez la faire encore quinze années, et vous m'y forçez.—I told him, that was very far from his Majesty's intentions.—He then proceeded to Count Marcow and the Chevalier Azara, who were standing together at a little distance from me, and said to them, Les Anglois veulent la guerre, mais s'ils sont les premiers à tirer l'Epée, je serai le dernier à la remettre. Ils ne respectent pas les Traités. Il faut dorénavant les

couvrir de Crepe noir.—He then went his round, in a few minutes he came back to me, and resumed the conversation, if such it can be called, by something personally civil to me. He began again.—Pourquoi des Armémens? Contre qui des mesures de precaution? Je n'ai pas un seul vaisseau de ligne dans les ports de France; mais si vous voulez armer, j'armerai aussi; si vous voulez vous battre, je me battrai aussi. Vous pourrez peut-étre tuer la France, mais jamais l'intimider.—On ne vou droit, said I, ni l'un ni l'autre. On voudroit vivre en bonne intelligence avec elle.—Il faut donc respecter les traités, replied he; Malheur à ceux qui ne respectent pas les traités; ils en seront responsable à toute l'Europe.—He was too much agitated to make it adviseable for me to prolong the conversation; I therefore made no answer, and he retired to his apartment, repeating the last phrase. It is to be remarked that all this passed loud enough to be overheard by 200 people who were present, and I am persuaded that there was not a single person, who did not feel the extreme impropriety of his conduct, and the total want of dignity as well as of decency on the occasion. I propose taking the first opportunity of speaking to Mr. Talleyrand on this subject. I have the honour to be, &c. WHITWORTH.

Right Hon. Lord Hawkesbury, &c. &c.

No. 44.—*Extract of a dispatch from Lord Hawkesbury to Lord Whitworth, dated March 15, 1803.*—I send your excellency a copy of the note presented to me by General Andreossy on the 10th instant, (vide page 57) and a copy of the answer which I have this day by his Majesty's commands returned to it.

No. 45.—*Note.*—The undersigned, his Majesty's principal secretary of state for foreign affairs, has laid before the King the note of his excellency the French ambassador of the 10th instant. In obeying the commands of his Majesty, by returning an official answer to this note, the undersigned feels it necessary for him to do little more than repeat the explanations which have been already given on more than one occasion by himself verbally to General Andréossy, and by Lord Whitworth to M. Talleyrand, on the subject of the note, and of the points which appear to be connected with it. He can have no difficulty in assuring the French Ambassador, that his Majesty has entertained a most sincere desire that the Treaty of Amiens might be executed in a full and complete manner; but it has not been possible for him to consider this Treaty as having been founded on principles different from those which have been invariably applied to every other antecedent treaty or convention, namely, that they were negotiated with reference to the actual *state of possession* of the different parties, and to the *treaties* or *public engagements* by which they were bound at the time of its conclusion; and that if that state of possession and of engagements was so materially altered by the act of either of the parties as to affect the nature of the compact itself, the other party has a right, according to the law of nations, to interfere for the purpose of obtaining satisfaction or compensation for any essential difference which such acts may have subsequently made in their relative situation; that if there ever was a case to which this principle might be applied with peculiar propriety, it was that of the late treaty of peace; for the negotiation was conducted on a basis not merely proposed by his Majesty, but specially agreed to, in an official note, by the French government, viz. *that his Majesty should keep a compensation out of his conquests for the important acquisition of territory made by France upon the Continent.* That is a sufficient proof that the compact was understood to have been concluded in relation to the then existing state of things; for the measure of his Majesty's compensation was to be calculated with reference to the acquisitions of France at that time; and if the interference of the French government in the general affairs of Europe since that period: if their interposition with respect to Switzerland and Holland, whose independence was guarantied by them at the time of the conclusion of the treaty of peace; if the acquisitions which have been made by France in various quarters, but particularly those in Italy, have extended the territory and increased the power of France, his Majesty would be warranted, consistently with the spirit of the treaty of peace, in claiming equivalents for these acquisitions, as a counterpoise to the augmentation of the power of France. His Majesty, however, anxious to prevent all ground of misunderstanding, and desirous of consolidating the general peace of Europe, as far as might be in his power, was willing to have waved the pretensions he might have a right to advance of this nature; and as the other articles of the definitive treaty have been in a course of execution on his part, so he would have been ready to have carried into effect an arrangement conformable to the true intent and spirit of the 10th article; the execution of that arrangement, according to its terms, having been rendered impracticable by circumstances which it was not in his Majesty's power to controul. Whilst his Majesty was actuated by these sentiments of moderation and forbearance, and prepared to regulate his conduct in conformity to them, his attention was particularly attracted by the very extraordinary publication of the report of

Colonel Sebastiani to the First Consul. This report contains the most unjustifiable insinuations and charges against his Majesty's government; against the Officer commanding his forces in Egypt, and against the British army in that quarter: insinuations and charges wholly destitute of foundation, and such as would have warranted his Majesty in demanding that satisfaction which on occasions of this nature, independent powers, in a state of amity, have a right to expect from each other. It discloses, moreover, views in the highest degree injurious to the interests of his Majesty's dominions, and directly repugnant to, and utterly inconsistent with, the spirit and letter of the treaty of peace concluded between his Majesty and the French government. His Majesty's ambassador at Paris was accordingly directed to make such a representation to the French government, as his Majesty felt to be called for by imputations of the nature above described, by the disclosure of purposes inconsistent with good faith, and highly injurious to the interests of his people; and as a claim had recently been made by the French government, on the subject of the evacuation of Malta, Lord Whitworth was instructed to accompany this representation by a declaration on the part of his Majesty, that before he could enter into any further discussions relative to that island, it was expected, that satisfactory explanations should be given upon the various points respecting which his Majesty had complained. This representation and this claim, founded on principles incontestibly just, and couched in terms the most temperate, appear to have been wholly disregarded by the French government; no satisfaction has been afforded, no explanation whatever has been given; but on the contrary, his Majesty's suspicions of the views of the French government with respect to the Turkish Empire have been confirmed and strengthened by subsequent events. Under these circumstances his Majesty feels that he has no alternative, and that a just regard to his own honor and to the interests of his people, makes it necessary for him to declare, that he cannot consent that his troops should evacuate the island of Malta, until substantial security has been provided for those objects which, under the present circumstances, might be materially endangered by their removal. With respect to several of the positions stated in the note, and grounded on the idea of the 10th article being executed in its literal sense, they call for some observations. By the 10th article of the treaty of Amiens, the island of Malta was to be restored by his Majesty to the order of St. John, upon certain conditions. The evacuation of the island, at a specified period, formed a part of these conditions; and if the other stipulations had been in a due course of execution, his Majesty would have been bound, by the terms of the treaty, to have ordered his forces to evacuate the island: but these conditions must be considered as being all of equal effect; and if any material parts of them should have been found incapable of execution, or if the execution of them should from any circumstances have been retarded, his Majesty would be warranted in deferring the evacuation of the island until such time as the other conditions of the article could be effected; or until some new arrangement could be concluded which should be judged satisfactory by the contracting parties. The refusal of Russia to accede to the arrangement, except on condition that the Maltese langue should be abolished; the silence of the court of Berlin, with respect to the invitation that has been made to it, in consequence of the treaty, to become a guarantying power; the abolition of the Spanish priories in defiance of the treaty to which the King of Spain was a party; the declaration of the Portuguese government of their intention to sequestrate the property of the Portuguese priory, as forming a part of the Spanish langue, unless the property of the Spanish priories was restored to them,—these circumstances would have been sufficient, without any other special grounds, to have warranted his Majesty in suspending the evacuation of the island. The evacuation of Tarentum and Brundusium is in no respect connected with that of Malta. The French government were bound to evacuate the kingdom of Naples by their treaty of peace with the king of Naples, at a period antecedent to that at which this stipulation was carried into effect. The French government were bound likewise, by engagements with the Emperor of Russia, to respect the independence of the kingdom of Naples; but even admitting that the departure of the French troops from Tarentum depended solely on the article of the treaty of Amiens, their departure is, by the terms of the treaty, to take place at the same period as the other evacuations in Europe; namely, one month after the ratification of the definitive treaty; at which period both Porto Ferrajo and Minorca were evacuated by his Majesty's forces; whereas the troops of his Majesty were in no case bound to evacuate the island of Malta antecedent to the period of three months after the ratification of the definitive treaty: and even in that event, it must be considered as depending upon the other parts of the arrangement being in a course of execution. With respect to the assertion in the note, that the Neapolitan troops were to form the garrison of Malta, until the period when the arrangements relative to the order could be carried into effect, it will appear, by a reference to the article, that by the preliminary paragraph, the island was to be restored to the order upon the condition of the succeeding stipulations, and that it was

only from the period when the restitution to the Order had actually taken place, that by the 12th paragraph the Neapolitan troops were to form a part of the garrison. The undersigned has thus stated, with all the frankness which the importance of the subject appears to require, the sentiments of his Majesty on the note delivered to him by General Andreossy, and on the points in discussion between the two countries. His Majesty is willing to indulge the hope, that the conduct of the French government on this occasion may be influenced by principles similar to those which have invariably influenced his own. That as far as possible all causes of distrust, and every impediment to a good understanding between the two countries, may be completely and effectually removed, and that the peace may be consolidated on a secure and lasting foundation.—The undersigned requests General Andreossy to accept the assurances of his high consideration.

Downing-street, March 15, 1803.

(Signed) HAWKESBURY.

His Excellency General Andreossy, &c.

Paris, March 17, 1803.

No. 46.—My lord, I called yesterday on M. de Talleyrand, to converse with him on the subject of what had passed on Sunday last at the Thuilleries. He had been since that day so fully occupied with his expeditions to different foreign courts, that I had no opportunity of seeing him sooner. I told him, that I had been placed by the First Consul in a situation which could neither suit my public nor my private feelings. That I went to the Thuilleries to pay my respects to the First Consul, and to present my countrymen, but not to treat of political subjects; and that unless I had the assurance from him, that I should not be exposed to a repetition of the same disagreeable circumstances, I should be under the necessity of discontinuing my visits to the Thuilleries. M. de Talleyrand assured me, that it was very far from the First Consul's intention to distress me; but he had felt himself personally insulted by the charges which were brought against him by the English government; *and that it was incumbent upon him to take the first opportunity of exculpating himself in the presence of the ministers of the different powers of Europe.* He assured me that nothing similar would occur. (Signed) WHITWORTH.

The Rt. Hon. Lord Hawkesbury, &c.

Paris, March 18, 1803.

No. 47.—My lord, I received your lordship's dispatch, with its inclosures, this morning early; and I learnt at the same time that a messenger had arrived from General Andreossy to M. de Talleyrand; shortly after, M. de Talleyrand sent to desire I would call upon him, which I accordingly did. He told me that he had not only received your lordship's note to the French ambassador, but also the sentiments of the First Consul upon it, which he was desirous to communicate to me, before he re-dispatched the messenger. This he did, and I refer your lordship to the communication, which General Andreossy will make, according to his instructions, without loss of time. From the tenor of this note, it appears that this government is not desirous to proceed to extremities; that is to say, it is not prepared so to do; and therefore it expresses a willingness to enter on the discussion of the point, which appears according to their conception, or rather to the interpretation they choose to give to it, the most material. This of course is the safety of Egypt. On this the First Consul declares in the note, as M. de Talleyrand did repeatedly to me, that he would be willing to enter into any engagement, by which such a security as would fully quiet our apprehensions, might be given on the part of the French government. On the subject of Malta, the First Consul maintains that he cannot listen to any compromise; with regard to Egypt he is willing to enter into any engagement which may be thought sufficient. I told him that he had departed from the letter and the sense of your lordship's note, by confining the question to Malta alone. That note had comprehended other most important considerations. That the best method of bringing the discussion to a speedy conclusion, such as his Majesty's government appeared to wish, was to take it up on a broader scale. But that at the same time his Majesty's government would not refuse to lend itself to any thing reasonable which might be suggested. There was however, I told him, one distinction to be made in the situation of the two governments, in the discussion of this question. By our possession of Malta, France was not threatened, but the reverse was the case, should the access to Egypt be opened by its evacuation. I have the honour to be, &c.

(Signed) WHITWORTH.

The Rt. Hon. Lord Hawkesbury, &c.

Downing-street, March 22, 1803.

No. 48.—My lord, Your excellency's several dispatches to No. 26 inclusive, have been received and laid before the King.—With respect to the subject of your excellency's dispatch of March 14, I have it in command to signify to you his Majesty's pleasure, that you take the earliest opportunity to represent to Monsieur de Talleyrand, the surprise with which his Majesty has learnt the conduct which the First Consul had ob-

served towards your excellency in the instance to which that dispatch refers; and you will add, that as his Majesty has a right to expect that his ambassador should be treated with the respect and attention due to the dignity of the sovereign whom he represents, it will be impossible for you to present yourself on any days of ceremony to the First Consul, unless you receive an assurance that you will never be exposed to a repetition of the treatment which you experienced on the occasion. Although your excellency appears to have anticipated this instruction in one of your most recent conversations with Monsieur de Talleyrand, I nevertheless think it right to enable your excellency to state to that minister, the sense which the King entertains of this transaction. I am, with great truth and respect, &c.

(Signed) HAWKESBURY.

His Excellency Lord Whitworth, &c.

Downing-street, April 3, 1803.

No. 49.—My Lord, I inclose to your excellency, for your information, copies of the official note delivered to me on the 29th ultimo by General Andréossy, and of the answer which, by his Majesty's command, I this day returned to that communication. I am, with great truth and respect, &c.

(Signed) HAWKESBURY.

His Excellency Lord Whitworth, K. B. &c.

(Translation of inclosure referred to in No. 49.)—The undersigned general of division, ambassador and minister plenipotentiary from the French Republic, has laid before his government the note addressed to him by his Excellency Lord Hawkesbury. He has received orders to make the following answer to the observations therein contained. The object of this note appears to be to explain his Britannic Majesty's message; and to give some elucidations which had been demanded respecting the execution of the treaty of Amiens. The First Consul will not make any complaint relative to the extraordinary and unexpected assertions of this act issued by his Britannic Majesty. Not one of them is founded. His Britannic Majesty believes that his kingdom is menaced by preparations made in the ports of Holland and France. He has been deceived: the First Consul has made no preparation. There were, at the time of the message, but two frigates in the Roads of Holland, and but three corvettes in the Road of Dunkirk. How can his Britannic Majesty's ministers have been deceived on facts so evident? His Britannic Majesty's ambassadors at Paris and at the Hague have seriously to reproach themselves, if they have credited information so evidently false, and if they did not foresee that they thereby exposed their government to err in the most important deliberations. Was it not conformable to the usage practised among nations, first to demand explanations, and thus to take means for being convinced of the falsehood of the intelligence which the ministers might have received? Must not the least effects of the omission of this practice be, to bring on the ruin of families, and carry confusion, uncertainty, and disorder, into all the commercial affairs of both nations? The First Consul knows, both from his own sentiments, and judging of other people by the French, that a great nation can never be terrified. He believes that good policy and the feelings of true dignity ever inspire the sentiment of esteem for a rival nation, and never the design of menacing her. A great nation may be destroyed, but not intimidated. The second part of his Majesty's message consists of another assertion no better founded. His Britannic Majesty makes mention of discussions, the success of which is doubtful. What are these discussions? What official notes, what protocole prove the opening, the progress, the vicissitudes of a debate? Can a state of difficulties, which leads to an alternative of peace or war, spring up unawares without commencement, without progression, and lead, without distinction, to an appeal to arms before all the means of conciliation have been exhausted. In this case, the appeal has been publicly made before it could be known that there was room for misunderstanding. The termination of the discussions was announced before they had begun. The issue of a difficult discussion has been declared before it arose. What would Europe, what would both nations think, if they knew that these discussions, announced by his Britannic Majesty as so difficult to terminate, were unknown to the French government; and that the First Consul, on reading the message, could not comprehend the meaning of either of the declarations therein contained. He has also abstained from any ostensible step; and whatever may have been the clamour, the activity, the provocations of war, which have taken place in England since that message, he has given no orders, he has made no dispositions, no preparations. He places his glory, in an affair of this nature, wholly in being taken in an unprovided state. He will continue in this system of honest frankness, until his Britannic Majesty has reflected fully on the part he proposes to take. In Lord Hawkesbury's note, an opinion is expressed, that the French Republic has increased in power since the peace of Amiens. This is a decided error. Since that epoch, France has evacuated a considerable territory. The French power

has received no degree of augmentation. If his Britannic Majesty is determined to make war, he may alledge all the pretexts he pleases. He will find few less founded. As to the complaints made respecting the publications which may have appeared in France, they are of an order too secondary to be capable of influencing such a decision. Are we then returned to the age of tournaments? Motives of this nature might have authorized, four centuries ago, the combat of thirties; but they cannot, in this age, be a reason for war between the two countries. It might suffice in this respect to reply to his excellency, that no representation has been made by him on the subject to the government of the Republic; and that, if it was but justice to grant satisfaction, the First Consul had a right to expect that which was required by M. Otto, in his note of the 22d Thermidor last, upon grounds more serious and more just. Is it possible that the English ministry can have been ignorant, that ever since the conclusion of the treaty of Amiens the English press has not ceased to spread through Europe the rage of war, the discredit of peace, and shameless and boundless outrages against every thing which is the object of the love and veneration of the French people? A few days after the ratification of peace, one of his Britannic Majesty's ministers declared that the peace establishment must be considerable; and the distrust excited by this declaration, made in parliament with as much bitterness as impropriety, furnished a commentary for the exaggeration and alarms which were circulated in despicable pamphlets, and in newspapers as contemptible as those libels. Since that time, these writers have found themselves invariably supported in their insolent observations by particular phrases taken from the speeches of some leading members of parliament. These speeches, scarcely to be exceeded by the news-writers themselves, have, for these eighteen months, tended to encourage insult against other governments to that degree, that every European must be offended, and every reasonable Englishman must be humiliated, by such unheard-of licentiousness. What if we connect with these sallies, proceedings more offensive and serious; the indulgence granted to French criminals, publishing daily outrages in the French language; the still more inexcuseable toleration extended to villains covered with crimes, and plotting assassinations incessantly, such as Georges, who still continues to reside at London protected, and having a considerable establishment; in a word, the little justice which has been shewn to all our representations—How are we to account for the publicity of the complaint which his Britannic Majesty has thought proper to make respecting some indefinite wrongs which he has hitherto thought unnecessary to bring before the First Consul? The First Consul has had cause to be convinced that all his representations on all these points were useless, and that his Britannic Majesty, regardless of the neighbouring powers, was resolved to authorize every thing within his dominions; but he did not on that account entertain a doubt of the continuance of peace, nor alarm Europe with the notification of war. He confined himself to this principle of conduct, to permit or prevent in France with respect to England whatever should be permitted or prevented in England with regard to France. *He has, however, expressed, and he again expresses his wish, that means should be adopted to prevent in future any mention being made of what is passing in* England, *either in the official discussions or in the polemical writings in* France, *as in like manner in the French official discussions and polemical writings no mention whatever should be made of what is passing in England.* Lord Hawkesbury mentions an article in a newspaper, containing the report of a French colonel. In serious discussions an answer on this point might be dispensed with; but it is neither a long nor difficult matter. A colonel in the English army has published a work in England, filled with the most atrocious and disgusting calumnies against the French army and its general. The lies it contains have been contradicted by the reception which Colonel Sebastiani experienced. The publicity of his report was at once a refutation and a reparation which the French army had a right to expect. On his arrival in Egypt, this officer, to his great astonishment, found the English army there, although they should have evacuated it, and the Turks prodigiously alarmed at the continuance of the English army, and at its relations with the natives in rebellion and open revolt against the Sublime Porte. He must have conceived that the treaties which connect us with the Porte, and by which we have guaranteed to it the integrity of its possessions, compelled us to unite ourselves with that power. It was natural to think that England meant to declare war from the instant she refused to execute the articles of the treaty. For after all, France is not reduced to such a state of debasement as to suffer treaties made with her to be executed or not at pleasure. Hence the researches made by this officer, as to the forces which were in Egypt, and as to the position occupied by the English army. But Egypt has since been restored to the dominion of its lawful Sovereign, and the idea of a rupture be-

tween the two nations, on account of the engagement contracted with the Porte, no longer exists. There remains, therefore, but one object worthy of fixing the attention of the two nations. The execution of the treaty of Amiens, as far as concerns Malta. His Majesty has engaged to restore it to the Order, and to entrust it to the Neapolitan army till the Order should be in a condition to guard it. His Majesty will reject all sophistry, every distinction, and every mental reservation which might be offered to him, to put in doubt the force and the validity of his engagement. His Britannic Majesty's equity, his conscience in this respect, are guarantees for the French Republic. Were it otherwise, what means in future would the two nations have for coming to an understanding? Would not all be chaos? This would indeed be adding another calamity to those which have menaced social order. The undersigned is directed to declare, in short, that the First Consul will not take up the defiance of war given by England to France; that as to Malta, he sees no subject for discussion, the treaty having provided for every thing, and settled every thing. The undersigned has the honour, &c. F. ANDREOSSY.

Portland Place, 8 *Germinal*, *Year* 11.

(29 *March*, 1803.)

(Inclosure referred to No. 49.)—The undersigned, his Majesty's principal secretary of state for foreign affairs, has laid before the King the note of his Excellency General Andréossy, of the 29th of last month. His Majesty has been induced, by that spirit of moderation and forbearance which have invariably governed his conduct in every part of his communications with the French government, to abstain from making many observations, which the perusal of this note may naturally have suggested to his mind. His Majesty has perceived with great regret, that the French government continue to withhold all satisfaction and explanation on the points on which he has complained; and that at the time when they evade all discussion on the subject of his representations, they persist in their requisition that the Island of Malta should be forthwith evacuated by his forces. His Majesty can never so far forget what is due to himself and to his people, as to acquiesce in such a course of proceeding; he has therefore judged it expedient to give instructions to his ambassador at Paris, to ascertain distinctly from the French government, whether they are determined to persevere in withholding all satisfaction and explanation on the points on which his Majesty has complained; or whether they are disposed, without delay, to give such satisfaction and explanations upon the present state of affairs as may lead to an arrangement which may be calculated to adjust the differences at present subsisting between the two governments. It is his Majesty's anxious desire, that by this mode of proceeding an end may be put to that state of suspense and irritation, which must be so injurious to the interests of both countries; and that the two governments, actuated by the same principles of justice and moderation, may be led to concur in such measures as are most likely to conduce to their permanent tranquillity. The undersigned requests General Andréossy to accept the assurances of his high consideration.

HAWKESBURY.

Downing-street, *April* 3, 1803.

His Excellency Gen. Andréossy, &c.

Downing-street, *April* 4, 1803.

No. 50.—My Lord, It is become essential, that the discussions which have been for some time subsisting between his Majesty and the French government should be brought to an issue within as short a time as is consistent with the deliberation which must be given to objects of so much importance. The last note presented by General Andréossy, in the name of his government, in answer to my note of the 15th of last month, evades all explanation, and even all discussion, of the points on which complaint has been made by his Majesty. If the French government should seriously intend to persist in this course of proceeding, there can be no hopes of a successful termination to the present negotiation. It is important, therefore, that you should ascertain distinctly, in the first instance, whether they are disposed to enter into explanation on the points on which his Majesty has complained, and to come to such an arrangement as may be calculated to adjust the differences at present subsisting between the two countries; and for this purpose you will present a note to the effect of that which is herewith inclosed. It is possible that the French government may continue to evade all discussion on the points in question, and confine themselves to a categorical demand, that Malta should be immediately evacuated. In that case, it is his Majesty's pleasure, that you should declare the impossibility of the relations of amity continuing to subsist between the two countries, and the necessity that you will be under of leaving Paris within a certain time. But if, on the other hand, they should shew a readiness to enter into discussion, and to give reasonable satisfaction and explanation, it is important that you should be informed, without loss of time, of the sentiments of his Majesty's government, as to what might be considered as an equitable adjustment of the differences between the two governments at

this moment. I have, therefore, by his Majesty's command, inclosed the project of an arrangement, which, under the present circumstances, would meet the ideas of his Majesty's government; which would afford security for those objects which are considered as endangered by the unequivocal disclosure of the views of the First Consul, and which, at the same time, might entirely save the honour of the French government. I am, &c.

HAWKESBURY.

His Excellency Lord Whitworth, &c.

(First inclosure referred to in No. 50.)—The undersigned, his Britannic Majesty's ambassador extraordinary has received the orders of his court to make the following communication to the French government. His Majesty has perceived, with great regret, that the French government continue to withhold all satisfaction and explanation on the points on which he has complained, and that at the time when they evade all discussion on the subject of his representations, they persist in their requisition that the island of Malta should be forthwith evacuated by his forces. His Majesty can never so far forget what is due to himself, and to his people, as to acquiesce in such a course of proceeding. He has therefore commanded the undersigned to ascertain distinctly from the French government, whether they are determined to persevere in withholding all satisfaction and explanation upon the points on which his Majesty has complained, or whether they are disposed, without delay, to give such satisfaction and explanation upon the present state of affairs, as may lead to an arrangement, which may be calculated to adjust the differences at present subsisting between the two governments. It is his Majesty's anxious desire that by adopting this mode of proceeding, an end may be put to that state of suspense and uncertainty which must be so injurious to the interests of both countries; and that the two governments, actuated by the same principles of justice and moderation, may be led to concur in such measures as are most likely to conduce to their permanent tranquillity.

(Signed) WHITWORTH.

(Second Inclosure referred to in No. 50.)—*Heads of an arrangement to be concluded by treaty or convention between his Majesty and the French government.*—Malta to remain in perpetuity in the possession of his Majesty. The knights of the Order of St. John to be indemnified by his Majesty for any losses of property which they may sustain in consequence of such an arrangement. Holland and Switzerland to be evacuated by the French troops. The island of Elba to be confirmed by his Majesty to France, and the King of Etruria to be acknowledged. The Italian and Ligurian Republics to be acknowledged by his Majesty, provided an arrangement is made in Italy for the King of Sardinia, which shall be satisfactory to him.

No. 51.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, April* 7, 1803.—I received your lordship's dispatches of the 4th instant by the messenger Wagstaff, with their inclosures, yesterday evening; and shall probably in the course of the day have an opportunity of communicating to Monsieur de Talleyrand the note, which I shall translate for that purpose.

Paris, April 7, 1803.

No. 52.—My lord, Since writing the preceding dispatch, I have seen M. de Talleyrand, and communicated to him the inclosed note, which I trust your lordship will find as close a translation as possible, of that which I received from your lordship. He read it over with much attention, and when he had done he appeared to be in expectation of some other communication. Upon desiring he would explain himself, he said that he was in hopes I should have furnished him with the heads of those points, on which it was affirmed in the note that the French government had so repeatedly refused all explanation and satisfaction. I told him, that it would have been entirely useless to repeat what had been so often urged in vain; that he could not but know that the explanation required, referred to the conduct of the French government, and the system of aggrandizement which it had constantly pursued since the conclusion and in direct violation of the Treaty of Amiens, founded as it indisputably was on the state of possession of the two countries at the time; that with regard to the satisfaction, it evidently referred to the unjustifiable insinuations and charges against his Majesty's government, against the officer commanding his forces in Egypt, and against the British army in that quarter, contained in the official report of Colonel Sebastiani. He was by no means disposed to admit, that either of these cases could justify the assertion of the French government having refused explanation and satisfaction on the ground that no notice had been taken of these transactions but in a very cursory manner; nor had any explanation ever been required as to any particular transaction whether in Italy or elsewhere, and if it had, it would immediately have been given; and that the language of Colonel Sebastiani was not to be put in any comparison with that used by Major Wilson, in his account of the campaign of Egypt. I urged the difference of a common publication like that to which he alluded, and a report to the First Consul published

by him in his official paper. On this occasion M. de Talleyrand was disposed to call in question the authority of the Moniteur. In short the most ungrounded assertions were substituted for arguments; and amongst these, I cannot but place that so often repeated of the First Consul's having entirely given up all idea whatever of Egypt, consequently we could have no pretext for retaining Malta. He assured me for the rest, that he would communicate it this evening to the First Consul, and that to-morrow he should in all probability have a communication to make in return. I have the honour to be, &c.

WHITWORTH.

The Rt. Hon. Lord Hawkesbury, &c.

(Inclosure referred to in No. 52.)—Le soussigné, ambassadeur extraordinaire et plenipotentiare de sa Majesté Britannique, a reçu ordre de sa cour de communiquer ce qui suit au gouvernement de France. Sa Majesté a vû à regret que le gouvernement de France continue à refuser toute satisfaction et toute explication sur les objets dont elle a à se plaindre, et qu'en évitant toute discussion de ce qui fait le sujet de ses representations il persiste néanmoins à demander l'evacuation de l'isle de Malthe par les forces de sa Majesté. Sa Majesté sait trop ce qu'elle se doit à elle-même et à son peuple pour acquiescer à de pareils procédés. En conséquence elle a ordonné au soussigné de savoir distinctement du governement de France, s'il est déterminé à perseverer dans son refus de toute satisfaction et de toute explication sur les objets de plainte de sa Majesté, ou bien s'il est disposé à donner sans delai cette satisfaction et cette explication sur l'etat actuel des affaires de maniere à pouvoir conduire à un arrangement qui seroit de nature à ajuster les differens qui actuellement existent entre les deux gouvernemens. Sa Majesté desire sincerement l'adoption de ce moyen que mettroit fin à un etat de suspension et d'incertitude si nuisible à l'interêt des deux nations, et de voir que les deux gouvernemens agissant par les mêmes principes de justice et de moderation puissent s'entendre pour concourir aux mesures les plus susceptibles de leur assurer une tranquillité permanente. Le soussigné prie son excellence M. de Talleyrand d'agréer l'assurance de sa haute consideration.

WHITWORTH.

Paris, April 9, 1803.

No. 53.—My lord, In my conversation yesterday evening with M. de Talleyrand, I found him, after he had seen the First Consul, more disposed to contest the substance of the note which I had presented the day before, than to afford any further explanation. He said, that in order to proceed regularly, it would be necessary that the French government should be informed precisely what were the objects which had created such uneasiness, and on which it was alledged all explanation had been refused. That although this had, perhaps, been touched upon in general conversation, yet no specific charge had been adduced in such a manner as to demand a formal explanation. I told him that if the object of the French government was to protract the present state of suspence and uncertainty, that object might be answered to the extent indeed of a very few days, by forcing me to such a reference; but I must at the same time declare to him, that it could be productive of no advantage, and would serve only to provoke such a recapitulation of the system and conduct which France had pursued since the Treaty of Amiens, as would have all the appearance of a manifesto, every item of which would carry conviction to every individual in Europe; that it appeared therefore more likely to answer the end which both parties proposed, that of hastening the conclusion of an amicable arrangement, to take up the business on the basis which I should propose, and by which they would admit no more than what was incontrovertible, namely, that if the French government exercised a right of extending its influence and territory, in violation of the spirit of the Treaty of Amiens, Great Britain had, if she chose to avail herself of it, (which I was confident she would not do further than was necessary as a measure of security,) an undoubted right to seek a counterpoise. He did not seem inclined to dispute this position, but rather to admit that such a right did exist, and might be claimed in consequence of the acquisitions which had been made by France. On the point of satisfaction I found him much more obstinate. He said that the First Consul was hurt at the expression *(satisfaction)*, to which he gave an interpretation I had never understood belonged to it, as implying superiority; so that if the British government required satisfaction of the French, it arrogated to itself a superiority. I told him, what certainly must be understood by every one, that the demand of satisfaction implied that one party had been offended by another, and of course had a right to demand such satisfaction; that an inferior had an equal right with his superior to demand it; but in the case in question there was perfect equality, and consequently there was no offence to be found but in the conduct which rendered such an appeal necessary. The discussion of this point took up a considerable time without producing any thing decisive. We at last came to the main point of the business; and on this I cannot say any real progress has been made M. de

Talleyrand repeated to me that the First Consul had nothing more at heart than to avoid the necessity of going to war, and that there was no sacrifice he would not make, short of his honour, to obtain this end. Is there, said M. de Talleyrand, no means of satisfying both parties; for at the same time that the First Consul insists, and will always insist, on the full execution of the treaty, he will not object to any mode by which you may acquire the security you think so necessary. You are not satisfied with the independence of Neapolitan troops; what others will answer the purpose? He then started the idea of a mixed garrison, composed of English, French, Italian, Germans, &c. He begged that I would refer once more to your Lordship, and submit the inclosed paper, which he drew up in my presence. I told him that we were only losing time by such a reference; that my instructions were positive, and had certainly not been sent me without the fullest consideration. I could not, however, refuse, what he so earnestly required; and your lordship will see by the paper how the matter rests after this conference. I will confess to your lordship, that my motive for consenting to forward this sort of proposal is, that supposing we should find the First Consul as obstinate as he now appears to be on the point of abandoning Malta to us in perpetuity, and that a temporary possession might be considered as the next best thing, something of this kind might derive from it. I have the honour to be, &c.

(Signed) WHITWORTH.

The Right Hon. Lord Hawkesbury, &c.

(Translation of Inclosure referred to in No. 53.)—The conversation with M. Talleyrand to-day has led us to this result: every thing which may tend to violate the independance of the order of Malta, will never be consented to by the French government. Every thing which may tend to put an end to the present difficulties, or be agreeable to the English government, and which shall not be contrary to the Treaty of Amiens, the French government have no objection to make a particular convention respecting it. The motives of this convention shall be inserted in the preamble, and shall relate to the respective grievances concerning which the two governments shall think it adviseable to come to an understanding with each other.

No. 54.—*Extract of a Dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, April* 14, 1803.—Since my last the negociation is at a stand, in the expectation, I suppose, of the answer which may arrive, to the overture which I communicated to your lordship on the 9th instant, and which is expected here to produce a good effect, notwithstanding the little hope I have given. To-morrow I shall, in all probability, be in possession of this answer from your lordship, and be enabled to speak still more positively.

Downing-Street, April 13, 1803.

No. 55.—My lord, his Majesty has received from his chargé d'affaires at Hamburgh, the most extraordinary account of the conduct of Monsieur Reinhard, the French minister at that place, with respect to a most gross and unwarrantable libel upon his Majesty's government. He has been assured that the French minister, having proposed the insertion of that libel in the official gazette of the town of Hamburgh, and the insertion of it having in the first instance been refused, the French minister went so far as to demand, in his official capacity, the insertion of that article by order of the senate. His Majesty is unwilling to believe that the French government could have authorised so outrageous an attack upon his Majesty and his government, and so daring a violation of the independence of a neutral state. It is his Majesty's pleasure, that you should communicate these circumstances to the French government, and state at the same time the impossibility of bringing the present discussions to an amicable conclusion, unless some satisfaction shall be given to his Majesty for the indignity which has thus been offered to him in the face of all Europe by the French minister at Hamburgh. I have the honour to be, &c.

HAWKESBURY.

His Excellency Lord Whitworth, K. B. &c.

Downing-Street, April 13, 1803.

No. 56.—My lord, your excellency's dispatches have been received, and laid before the King. His Majesty has observed, with great satisfaction, the admission by the French government of the justice of his claim to some compensation in consequence of the increased power and influence of France, since the period of the conclusion of the definitive treaty. Although, under the circumstances of your conversation with M. Talleyrand, and particularly after the note verbale which he gave to you, it might have been expedient that you should have deferred presenting the project contained in my dispatch No. 7, in the form of a project, it is desirable that you should communicate without delay in some mode or other, the contents of that project, for the purpose of ascertaining distinctly whether the conditions are such as to induce the French government to give way upon the question of Malta. These conditions appear to his Majesty so well calculated to save the honour of the French government on the subject of Malta—if the question of Malta is principally considered by them as a question of honour—and at the same time hold out to them

such important advantages, that the success of the proposition is at least worth trying, particularly as the result of it might be productive of the most easy means of adjusting the most material of our present differences. With respect to the assertion so often advanced and repeated by M. Talleyrand in your last conversation of the non-execution of the Treaty of Amiens relative to Malta, I have only to observe again, that the execution of that article is become impracticable from causes which it has not been in the power of his Majesty to controul. That the greatest part of the funds assigned to the support of the order, and indispensably necessary for the independence of the order and defence of the island, have been sequestrated since the conclusion of the definitive treaty, in direct repugnance to the spirit and letter of that treaty; and that two of the principal powers who were invited to accede as guarantees to the arrangement, have refused their accession, except on the conditions that the part of the arrangement which was deemed so material relative to the Maltese inhabitants should be entirely cancelled. The conduct of the French government since the conclusion of the definitive treaty, gives his Majesty a right, which is now at length admitted by themselves, to demand some compensation for the past, and security for the future. Such compensation could never be considered as obtained by the possession of an island, which would entail a very heavy expence on this country;—and the degree of security which would be provided by these means, would only be such as his Majesty, under the present circumstances, is entitled to demand. I observe in the note verbale of Monsieur Talleyrand, he makes use of the expression, *the independence of the order* of Malta. If this is meant to apply to the order exclusively, his Majesty would be willing, for the preservatian of peace, that the civil government of the island should be given to the order of St. John; the Maltese enjoying the privileges which were stipulated in their favour in the Treaty of Amiens; and that, conformably to principles which have been adopted on other occasions, the fortifications of the island should be garrisoned for ever by the troops of his Majesty. In the event of either of these propositions being found unattainable, his Majesty might be disposed to consent to an arrangement by which the island of Malta would remain in his possession for a limited number of years, and to waive in consequence his demand for a perpetual occupation, provided that the number of years was not less than ten, and that his Sicilian Majesty could be induced to cede the sovereignty of the island of Lampedosa for a valuable consideration. If this proposition is admitted, the Island of Malta should be given up to the inhabitants at the end of that period, and should be acknowledged as an independent state. In this case, his Majesty would be ready to concur in any arrangement for the establishment of the Order of St. John in some other part of Europe. You will not refuse to listen to any proposition which the French government may be disposed to make to you with a view to an equivalent security for those objects in regard to which his Majesty claims the possession or occupation of Malta; but the three propositions to which I have above alluded, appear, at the present moment, to furnish the only basis for a satisfactory arrangement; and you will decline receiving any proposition which does not appear to you to offer advantages to his Majesty as substantial as that which I have last stated. It is very desirable that you should bring the negotiation to an issue, if possible, without referring to his Majesty's government for further instructions, after the receipt of this dispatch; and if you should be of opinion, that there is no hopes of bringing it to a favourable conclusion, you may inform M. Talleyrand of the necessity you will be under, after a certain time, to leave Paris. I have the honour to be, &c.

(Signed) HAWKESBURY.

His Excellency Lord Whitworth, K. B. &c.

Paris, April 18, 1803.

No. 57.—My Lord, I did not fail to put into immediate execution the instructions contained in your lordship's dispatch (No. 11.) on the subject of the libel inserted by the French Minister in the Hamburgh Gazette. I represented the outrageous and unprecedented conduct of M. Rheinhardt in such terms as it deserves; and fairly declared to M. de Talleyrand, that, until satisfaction shall be given to his Majesty for the indignity which has been offered him by the French minister in his official character, there could be no possibility whatever of bringing the present discussion to an amicable issue. M. de Talleyrand assured me, that the French government saw the conduct of M. de Rheinhardt in the same light as his Majesty's ministers, and that they could not be more surprised than the First Consul had been at seeing such an article inserted by authority; that an immediate explanation had been required of M. Rheinhardt, five days ago, and if his conduct had been such as had been represented, he would, doubtless, feel the effect of the First Consul's displeasure; and that, in the mean time, I might inform your lordship that he was completely disavowed. I told M. de Talleyrand, that, as the insult had been public, it would be

necessary that the reparation should be so also. He answered me again, that the First Consul considered M. Rheinhardt's conduct as so reprehensible, that every satisfaction might be expected. I have the honour to be, &c. (Signed) WHITWORTH.

The Right Hon. Lord Hawkesbury, &c.

Paris, April 18, 1803.

No. 58.—My Lord, I have the honour to acknowledge the receipt of your lordship's dispatches of the 13th instant. I saw Joseph Buonaparté immediately on the receipt of your lordship's dispatch; and without troubling your lordship with a repetition of the arguments I used to hasten the conclusion of the negotiation, amongst which I endeavoured to convince him of the importance of preventing the ultimatum which would inevitably follow the rejection of what I had to propose, I will briefly state, that on finding it perfectly impracticable to establish the principle of our keeping possession of Malta in perpetuity, I delivered to him in writing the second proposal I had to make. He did not fail to observe, that by this modification the difficulty which he considered as insurmountable was not removed; that although the Order was restored, it could not be considered as independent, and, in fact, Malta would belong to that power which had possession of the forts. I enforced the adoption of this plan by every reason which could serve to recommend it; but the possession in perpetuity was constantly urged as a difficulty which nothing could remove. Our conversation lasted near two hours. I confess that I gained no solid ground of hope that the project, which he assured me he would take to the First Consul at St. Cloud, would be adopted. But he said that he was not without hope that he might be authorized to propose to me the occupation of the fortresses for a term of years. It was my wish, that such a proposal should come from him rather than from me. I told him that I did not well see how such a tenure would suit us; but that I wished too sincerely to avoid the fatal extremities to which I saw the discussion was tending, not to give any reasonable proposal which might be made on their part every assistance in my power. This proposal originated with him, and was therefore received by me merely as a matter which I would refer to your lordship. If, however, I can bring the matter to an immediate conclusion, and without further reference to your lordship, on the principle of our retaining possession of the fortresses of Malta for a term of years not less than that pointed out by your lordship, and with the assurance that this government will not oppose the cession of the Island of Lampedosa, I shall have great pleasure in announcing to your lordship such a conclusion. I do not enter into a detail of the conversation which I had the same morning with M. de Talleyrand, immediately upon leaving Joseph Buonaparté, as it differed in no wise from what I have above mentioned. He suggested also the possibility of coming to an arrangement on the ground of a temporary occupation, and I made him the same answer. Such is the state of the discussion at this moment. I am in expectation of hearing very shortly either from Joseph Buonaparté or M. de Talleyrand; and I am not without hopes that I may be able to announce to your lordship, that such an arrangement is made, as may answer his Majesty's expectations, in a very few days. Your lordship may be assured, that I feel the necessity of expedition. Were it less urgent, I might perhaps hope to bring the discussion to even a more favourable issue. I have the honour to be, &c.

(Signed) WHITWORTH.

Right Hon. Lord Hawkesbury, &c.

(Translation of Inclosure referred to in No. 58.)—His Majesty will consent, for the sake of preserving peace, that the government of the Island of Malta shall be given to the Order of St. John; the Maltese enjoying those privileges which have been granted on former occasions. The fortifications of the Island shall be occupied in perpetuity by the troops of his Majesty.

Paris, April 20, 1803.

No. 59.—My Lord, I had hoped that the first extraordinary messenger I should have had occasion to send, would have been to announce to your lordship, that the differences between the two governments were adjusted on one of the modifications pointed out to me by my last instructions from your lordship. In this expectation I am deceived. I saw Joseph Buonaparté the night before last, before I had sealed up my dispatches of that evening to your lordship; but as all he said tended only to justify the hope I had given your lordship in those dispatches, I added nothing to them. He assured me positively, that I should hear from M. de Talleyrand in the course of yesterday morning, and that a meeting would be appointed in order to settle the term of years for which the First Consul might be induced to consent to the cession of Malta. It is true that he declared, that in order to gain his consent, it would be necessary to hold out the advantages which the British government was willing to offer in return, meaning the acknowledgments of the new governments in Italy. I told him that this offer was made only with a view to the possession of Malta in perpetuity; but after some conversation, I gave him to understand, that I would not refuse to admit

the demand, *sub sperati*, on the condition, that the cession should be made for a considerable term of years; that Holland and Switzerland should be evacuated; and that a suitable provision should be made for the King of Sardinia. He seemed to think there could be no difficulty in this arrangement; and I left him in the persuasion, that I should the next day, yesterday, or this morning, receive the summons from M. de Talleyrand, which he had given me reason to expect. I am sorry to say, that no such summons has been received by me, neither has any further notice been taken of the business. So that I feel, that I should betray the confidence your lordship may place in me, were I to delay any longer requesting, that I may be immediately furnished with the terms on which his Majesty's ministers would be willing to conclude, and which probably will not differ much from those above stated, in order that I may propose them in the form of an ultimatum; and that at the expiration of the period allowed for deliberation, I may be authorized not only to declare that I am to leave Paris, but actually so to do, unless in the intermediate time, the French government should accede to our demands. I have the honour to be, &c.

(Signed) WHITWORTH.

Right Hon. Lord Hawkesbury, &c.

Downing-street, April 23, 1803.

No. 60.—My Lord, Your excellency's dispatches of the 18th and 20th instant have been received, and laid before the King. It is necessary for me to do little more on the present occasion than to refer you to my dispatch of the 13th of April, in which I stated to you the several propositions on which alone, in the judgment of his Majesty, the differences between this country and France could be satisfactorily adjusted. If, upon the receipt of this dispatch, it shall not have been in your power to bring the negotiation to a conclusion on any of the propositions to which I have above referred, it is his Majesty's pleasure that you should communicate, officially, to the French government, that you have gone, in point of concession, to the full extent of your instructions; and that, if an arrangement, founded upon one of these propositions, cannot be concluded without further delay, you have received his Majesty's commands to return to England. His Majesty can only consent to relinquish the permanent occupation of Malta by his forces, on the conditions that the temporary possession shall not be less than ten years; that the authority, civil and military, shall, during that period, remain solely in his Majesty; and that, at the expiration of that period, the Island shall be given up to the inhabitants, and not to the Order; and provided likewise, that his Sicilian Majesty shall be induced to cede to his Majesty the Island of Lampedosa. It is indispensable that, as a part of this arrangement, Holland should be evacuated by the French troops within a short period after the conclusion of a convention by which all those provisions are secured. His Majesty will consent to acknowledge the new Italian states, upon the condition that stipulations in favour of his Sardinian Majesty, and of Switzerland, form a part of this arrangement. It is his Majesty's pleasure that, in the event of the failure of the negotiation, you should delay your departure from Paris no longer than may be indispensably necessary for your personal convenience; and that you should in no case remain there, after the receipt of this dispatch, more than seven days. I have the honour to be, &c.

HAWKESBURY.

His Excellency, Lord Whitworth, K. B. &c.

Paris, April 23, 1803.

No. 61.—My Lord, As I heard nothing from M. Talleyrand, I called on him on Thursday, in order to learn the effect of the proposal which I had made, conformably to your lordship's instructions, on the basis of a perpetual possession of the forts of Malta, on re-establishing the Order in the civil government of the Island. He told me, that if I had called on him sooner, he should two days ago have communicated to me the First Consul's answer, which was, that no consideration on earth should induce him to consent to a concession in perpetuity of Malta, in any shape whatever: and that the re-establishment of the Order was not so much the point to be discussed, as that of suffering Great Britain to acquire a possession in the Mediterranean. I told him that I did not call sooner, because I had been given to understand that he would have himself proposed it to me, for the purpose of communicating the answer of the First Consul; and that it did not in any shape become me to put myself on the footing of a solicitor in this transaction. After some conversation, and finding (what I most sincerely believe to be the case) that the First Consul's determination was fixed on the point of a possession of Malta in perpetuity; I repeated to him what I had previously suggested to Joseph Buonaparté, the modification which I had to propose, namely, that, for the sake of peace, his Majesty would be willing to waive his pretensions to a possession in perpetuity, and would consent to hold Malta for a certain number of years to be agreed upon, on the condition that no opposition should be made on the part of the French government to any negotiation his Majesty

might set on foot with his Sicilian Majesty for the acquisition of the Island of Lampedosa. We discussed this proposal in a conversation of some length, and I made use of all the arguments which have been furnished me by your lordship, or which occurred to me in its favour. I begged him particularly to recollect that we were in actual possession of the object, and that therefore every modification tending to limit that possession, was in fact a concession on the part of his Majesty, and a proof of his desire to sacrifice to his love of peace the just claim which he had acquired in consequence of the conduct of France, and which had recently been admitted, of a much more considerable compensation and counterpoise. M. de Talleyrand did not seem disposed to dispute any of my positions, and I left him, I confess, fully impressed with the idea that the next day (Friday) I should find him prepared to treat on this ground, and that the only difficult point to be arranged would be the number of years for which Malta should be ceded to his Majesty. Your lordship will conceive my surprise, when on seeing him the next day, he told me that although he had not been able to obtain from the First Consul all he wished, still the proposition he had to make would, he trusted, be such as fully to answer the purpose. He then said that the First Consul would, on no terms, hear either of a perpetual or a temporary possession of Malta; that his object was the execution of the treaty of Amiens; and that rather than submit to such an arrangement as that I had last proposed, he would even consent to our keeping the object in dispute for ever: on the ground that in the one there was an appearance of generosity and magnanimity; but in the other, nothing but weakness and the effect of coercion: that therefore his resolution was taken, and what he had to propose was the possession we required of the Island of Lampedosa, or of any other of the small Isles of which there were three or four between Malta and the Coast of Africa; that such a possession would be sufficient for the object we had in view, which was a station in the Mediterranean as a place of refuge and security for any squadron we might find it convenient to keep in that sea. I suffered him to expatiate a considerable time, and without interruption, on the great advantages we were to derive from such an acquisition, as well as on the confidence which the First Consul reposed in our pacific intention in lending a hand to such an establishment. He concluded by desiring I would transmit this proposal to your lordship. I told him that I was extremely sorry indeed to find that we had made such little progress in the negotiation; that my orders were positive; that I could hear of nothing short of what I had proposed, neither could I possibly undertake to make such a proposal to his Majesty, since every word of my instructions (from which I certainly would not depart) applied positively to Malta, unless an equivalent security could be offered, and surely he would not pretend to tell me that Lampedosa could be considered as such; that the possession of Malta was necessary for our security, and was rendered so not from any desire of aggrandizement on the part of his Majesty, but by the conduct of the French government; and that so strongly were we impressed with the necessity, that rather than abandon it, we were prepared to go to war. That it was on this ground I must declare to him, that I could neither take upon myself to forward such a proposal as he had made to me, or indeed any thing short of what I had last proposed as a fair equivalent. That in so doing, I acted in conformity to his Majesty's views, who would most assuredly disapprove of my conduct, were I, by unnecessarily protracting the negociation, to add one day, or one hour, if it could be avoided, to the suspence and anxiety under which his own subjects and all Europe must labour at such a crisis; that I had hoped the French government, actuated by the same generous motives, would have acted in the same manner; that it might, by pursuing a contrary line of conduct, gain still a few days; but I must declare, that in a very short time I should have to communicate to him those very terms from which his were so wide, but to draw nearer to which was, perhaps the object of his negotiating, in the form of an ultimatum, which would at least have one good effect, that of bringing the matter to an issue, and the certainty even of war was preferable to the present state of indecision. To all I could say M. Talleyrand objected the dignity and honour of the First Consul, which could not admit of his consenting to any thing which might carry with it the appearance of yielding to a threat. I told him that it never could be admitted that the First Consul had a right to act in such a manner as to excite jealousy and create alarm in every state of Europe, and when asked for explanation or security, say that it was contrary to his honour or his dignity to afford either. Such arguments might perhaps do when applied to some of those governments with which France had been accustomed to treat, or more properly to dictate to, but never could be used to Great Britain; that his Majesty had a right to speak freely his opinion, and possessed also the means, whenever he chose to employ them, of opposing a barrier to the ambition of any individual, or of any state which should be disposed to threaten the security of his dominions, or the tranquillity of Europe.

Our conversation concluded by M. de Talleyrand's assuring me that he would report the substance of it to the First Consul in the even-

ing, and that probably he should have occasion to see me on the following day. I have the honour to be, &c. WHITWORTH.

The Right Hon. Lord Hawkesbury, &c.

Paris, April 25, 1803.

No. 62.—My Lord, The conversation I had on Saturday morning with M. Talleyrand has produced nothing from which I can draw a more favourable conclusion as to the result of the negotiation, than when I last addressed your lordship. He told me, that although he had seen the First Consul the night before, he had nothing to add to what he had communicated to me on Friday; that the First Consul was determined not to give his consent to our retaining Malta, either in perpetuity or for a term, although of the two he would prefer the former tenure as the less repugnant to his feelings; that he was therefore ordered to repeat the proposal he had lately made me, of acceding to our demand of Lampedosa or any of the neighbouring islands; and that as our object was to obtain a settlement in the Mediterranean, he imagined that which we had ourselves pointed out would answer every purpose we might have in view. But, at all events, the First Consul neither could nor would relinquish his claim to the full execution of the Treaty of Amiens. To this I could only repeat what I had already said to him on the inadequacy of such a proposal, and of the impossibility in which I found myself to transmit it to your lordship. I lamented the course which the negotiation was taking, and that the First Consul should have so little regard to the dreadful consequences which must ensue, as to suffer them to be outweighed by a mistaken notion of dignity. And I added, that notwithstanding the acquiescence which he might have met with from others, the plea of its being incompatible with the dignity of the French government to give satisfaction or security, when both might with justice be demanded, could never be admitted by Great Britain. M. de Talleyrand heard every thing I could say with the utmost patience, notwithstanding he had nothing satisfactory to say, and seemed unwilling to break up the conference. He constantly brought forward the same inadmissible proposal, requesting that I would at least communicate it to your lordship. This I told him I could not refuse to do, since every thing which passed between him and me must of course make the subject of my reports to your lordship. I declared however, at the same time, that I should not think myself by any means authorized to suspend the execution of any instructions I might receive, tending to bring the negotiation to an issue, in the expectation of any change which such a proposal might produce. All I could do, and that I would certainly do, would be to communicate the ultimatum, if his Majesty should think proper to furnish me with it, confidentially to M. de Talleyrand, before I presented it officially to him, as minister for foreign affairs. He assured me that he should consider such a conduct as a further proof of my desire to conciliate, and that he could not yet forbear hoping that the differences might be adjusted. I repeated that if his hope was founded on the expectation of his Majesty's being induced to recede from his demand, it would be deceiving himself to cherish it. The remainder of the conversation turned on the calamities which would follow the failure of our endeavour to avoid a rupture. He insinuated that Holland, Naples, and other countries connected with Great Britain, would be the first victims of the war. I asked him whether he thought that such a conduct would add to the glory of the First Consul, or whether the falling on the innocent and defenceless would not rather tarnish it, and ultimately unite against him, not only the honest men in his own country, but every government in Europe. That it certainly would excite more detestation than terror in England, at the same time that it would serve to impress upon us still more strongly the necessity of omitting no means of circumscribing a power so perniciously exerted. I could not help adding, that although no act of hostility had actually taken place, yet the inveteracy with which our commerce, our industry, and our credit had been attacked in every part to which French influence could be extended, did in fact almost amount to the same, since it went to prove, in addition to the general system of the First Consul, that his object was to pursue, under the mask of peace, the same line of conduct in which the preceding governments had acted. I now trust entirely to the effect of the ultimatum, which will at least convince him that we are in earnest, and that he has nothing to expect from protraction. I shall not however, as I said before, make use of this officially, until I have tried its effect in a more conciliatory manner. I have the honour to be, &c.

(Signed) WHITWORTH.

The Rt. Hon. Lord Hawkesbury, &c.

P. S. Your lordship's dispatches of the 23d with their inclosures, were delivered to me by Shaw this evening at nine o'clock. I shall see M. de Talleyrand to-morrow morning; and I trust your lordship will not disapprove my following the line of conduct I had proposed, and which I have mentioned to your lordship, of informing him of the nature of

my instructions a few hours before I carry them officially into execution. W.

No. 63.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, April 27, 1803.*—I avail myself of the opportunity of a messenger passing through from Constantinople and Vienna, to inform your lordship of the state of the negotiation at this moment. I communicated to M. de Talleyrand the purport of my instructions of the 23d, yesterday at four o'clock. He immediately asked me if the possession of Malta was still insisted upon. I told him most certainly it was; and I repeated to him the particulars of the terms on which it was yet possible to conclude the business. That these were, the possession of Malta for ten years, during which period the authority, civil and military, was to remain solely in his Majesty, and that at the expiration of that term, it was to be given up to the inhabitants, and not to the Order; provided also, that his Sicilian Majesty shall be induced to cede to his Majesty the Island of Lampedosa; that Holland should be evacuated by the French troops within a month after the conclusion of a convention by which all these provisions shall be secured; and that his Majesty would consent to acknowledge the new Italian States, provided stipulations were made in favour of his Sardinian Majesty and of Switzerland. I had no sooner made known these conditions than M. de Talleyrand told me it would be perfectly unnecessary to delay the official communication; for, as the possession of Malta was still insisted upon, although for a term, the First Consul would not consent to them. I accordingly did repeat them to him in the manner he desired; when he told me that he comprehended perfectly what we required, but that in similar cases it was usual to state the demand in writing, and he desired I would give him a note upon the subject. I told him that I would repeat to him once more, or as often as he pleased, the express terms which I had stated to him, and that as my communication to him was verbal, I should of course be content with an answer in the same form. He consented at length to receive it, and to communicate to me the First Consul's answer as soon as possible. I desired that he would recollect that Tuesday next must be the day of my departure.

No. 64.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, dated April 29, 1803.*—My last letter to your lordship was of yesterday evening. This morning a person came to me whom I suspect of being employed by the First Consul for the purpose of ascertaining my sentiments, and told me that I should, in the course of the day, receive a letter from M. de Talleyrand, drawn up under the inspection of the First Consul, which, although not exactly what I might wish, was however so moderate as to afford me a well-grounded hope, and might certainly be sufficient to induce me to delay, for a short time, my departure. I told him that it would be a matter of great satisfaction to me to perceive a probability of bringing the negotiation to a favourable issue; and that I should be extremely sorry to spoil the business by any useless precipitation. But it must be recollected that I acted in conformity to instructions; that those instructions were positive; that by them I was enjoined to leave Paris on Tuesday next, unless in the intermediate time certain conditions were agreed to. Having received no letter in the course of the day, about four o'clock I went to M. de Talleyrand; I told him that my anxiety to learn whether he had any thing favourable to tell me, brought me to him, and in case he had not, to recall to his recollection that Tuesday was the day on which I must leave Paris, and to request that he would have the necessary passports prepared for me and my family. He appeared evidently embarrassed, and after some hesitation observed, that he could not suppose I should really go away; but that at all events the First Consul never would recall his ambassador. To this I replied, his Majesty recalled me in order to put an end to the negotiation, on the principle that even actual war was preferable to the state of suspense in which England, and indeed all Europe, had been kept for so long a space of time. From the tenour of his conversation, I should rather be led to think that he does not consider the case as desperate. Upon my leaving him he repeatedly said, *J'ai encore de l'espoir.*

Saturday Evening.—P. S. This day has passed without any occurrence whatever. The letter in question is not yet arrived.

No. 65.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, dated May 2, 1803.*—Another day has passed over without producing any change. I determined to go myself to M. de Talleyrand, and to deliver, instead of sending, the inclosed letter. I told him that it was with great reluctance that I came to make this last application to him. That I had long since informed him of the extent of the term which had been assigned for my stay at Paris, and that as I had received to this moment no answer whatever to the proposal I had repeatedly made, I could no longer delay requiring him to furnish me with the necessary passports for the return of myself, my family, and the remainder of the mission, to England. Upon this I gave him the letter, a copy of which I inclose, and on reading it he appeared somewhat startled. He lamented that so much time had been lost; but said that enough remained, if I was authorised to negotiate upon other terms. I could of course but repeat to him, that I had no

other terms to propose, and that therefore, unless the First Consul could so far gain upon himself as to sacrifice a false punctilio to the certainty of a war, of which no one could foresee the consequence, nothing could possibly prevent my departure to-morrow night. He hoped, he said, this was not so near; that he would communicate my letter, and what I had said, to the First Consul immediately, and that in all probability I should hear from him this evening. I thought it, however, right to apprize him that it was quite impossible I could be induced to disobey his Majesty's orders, and protract a negotiation on terms so disadvantageous to ourselves, unless he should furnish me with such a justification as would leave me no room to hesitate; and that I did not see that any thing short of a full acquiescence in his Majesty's demands could have that effect. He repeated that he would report the conversation to the First Consul, and that I should shortly hear from him. In this state the business now rests; I am expecting either a proposition or my passports, and am consequently taking every measure for setting out to-morrow night.

Paris, May 2, 1803.

(Inclosure referred to in No. 65.)—Translation.—Sir, When I had the honour on Tuesday last of communicating to you officially the last propositions which I was instructed by my court to submit to the French government, for the sake of removing the present difficulties, I had the honour to announce to you, that in case the First Consul should not consent to these propositions, I should find myself under the necessity of leaving Paris in eight days. We are nearly arrived at the end of this period, without my having received any answer to this communication. It remains for me only, therefore, to obey the orders of the King my master to return to him; and for this purpose I entreat you, Sir, to have the goodness to furnish me with the necessary passports. I seize this opportunity of renewing to your excellency the assurances of my high consideration. WHITWORTH.

His Excellency M. de Talleyrand.

No. 66.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, Wednesday morning, May* 4, 1803.—Soon after I had dispatched the messenger the night before last, with my dispatches of the 3d, I received a communication from M. de Talleyrand, of which I inclose a copy, the purport of which was so completely short of every thing which could be satisfactory, that I did not think myself authorized to enter into any discussion upon it; and as early as I could on the following morning I returned the answer of which the inclosed is a copy. After this I concluded, of course, that there was an end to the negotiation. I had for some days past been preparing for my departure; every measure was taken for setting out at four o'clock this morning, and we were expecting only the passports which I had demanded, for the purpose of ordering the post horses. The day and the evening passed without the passports having been sent; and whilst we were deliberating on the motives of such a delay, about 12 o'clock at night, a gentleman who was with me received a communication which convinced me that it was not meant to give me my passports without another attempt, and I was, therefore, not surprized when about one o'clock I received the inclosed note from M. de Talleyrand. In this situation I am waiting the hour of rendezvous with M. de Talleyrand.

(First Inclosure referred to in No. 66.)—Translation.—The undersigned has reported to the First Consul the conversation which he had with his excellency Lord Whitworth on the 6th of this month, and in which his excellency announced, that his Britannic Majesty had ordered him to make, verbally, in his name, the following demands:—1st. That his Britannic Majesty should retain his troops at Malta for ten years. 2d. That the Island of Lampedosa should be ceded to him in full possession. 3d. That the French troops should evacuate Holland. And that if no convention on this basis should have been signed within a week, his excellency Lord Whitworth had orders to terminate his mission, and to return to London. On the demand made by the undersigned, that Lord Whitworth would, in conformity to the usage of all ages and of all countries, give in writing what he himself called the *ultimatum* of his government, his excellency declared, that his instructions expressly forbad him to transmit on this object any written note. The intentions of the First Consul being entirely pacific, the undersigned dispenses with making any observation on so new and so strange a manner of treating on affairs of this importance. And, in order to give a fresh testimony of the value which he attaches to the continuance of peace, the First Consul has directed the undersigned to make the following notification in the accustomed style and forms. As the Island of Lampedosa does not belong to France, it is not for the First Consul either to accede to or to refuse the desire testified by his Britannic Majesty, of having this Island in his possession. With regard to the Island of Malta, as the demand made respecting it by his Britannic Majesty would change a formal disposition in the treaty of Amiens, the First Consul cannot but previously communicate it to his Majesty the King of Spain, and to the Batavian Republic, con-

contracting parties to the said treaty, in order to know their opinion; and besides, as the stipulations relative to Malta have been guaranteed by their Majesties the Emperor of Germany, the Emperor of Russia, and the King of Prussia, the contracting parties to the treaty of Amiens, before they agree to any change in the article of Malta, are bound to concert with the guaranteeing powers. The First Consul will not refuse this concert, but it belongs not to him to propose it, since it is not he who urges any change in the guaranteed stipulations. With regard to the evacuation of Holland by the French troops, the First Consul has no difficulty in directing the undersigned to repeat that the French troops shall evacuate Holland at the instant that the stipulations of the treaty of Amiens shall be executed in every quarter of the globe. The undersigned avails himself of this opportunity to renew to his excellency the English ambassador the assurance of his high consideration.

CH. MAU. TALLEYRAND.

Paris, ce 12 *Floreal, An* 11. (*2d May*, 1803.)

(Second Inclosure referred to in No. 66.)—Translation.—The undersigned, in answer to the note which M. de Talleyrand transmitted to him yesterday evening, has the honour to observe to him, that the King has had no other motive in seeking to accelerate the proceedings of the negotiation, than to relieve as soon as possible the two countries the most interested, and Europe in general, from the state of suspense in which they are placed. It is with great regret that he perceives nothing in his excellency's note which can correspond with this intention, and consequently nothing which can justify him in delaying to obey the orders of his court. It remains, therefore, only to request the minister for foreign affairs to give him the means of obeying them, by furnishing him with the necessary passports for his return. It is, however, necessary for him to rectify a mistake which has crept into M. de Talleyrand's note. The undersigned did not say he was expressly forbidden to transmit any written note on the object of the discussion, but that he was not authorized to do it, and that he would not take that responsibility on himself. He avails himself of this opportunity to renew to his excellency M. de Talleyrand the assurances of his high consideration.

(Signed) WHITWORTH.

Paris, 3d May, 1803.

Paris, May 3, 1803.

(Third Inclosure referred to in No. 66.)—Translation.—My Lord, Having to-morrow morning to make to you a communication of the greatest importance, I have the honour to inform you of it without delay, in order that you may not expect this evening the passports which you had demanded. I propose that you should call to-morrow at half-past four at the foreign department. Receive, my lord, the assurance of my high consideration.

CH. MAU. TALLEYRAND.

No. 67.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, Wednesday Evening, May* 4, 1803.—I am this moment come from M. Talleyrand. The inclosed note will shew your lordship, that the idea which has been thrown out is to give Malta to Russia. My only inducement for having undertaken to refer again to your lordship, is to avoid every reproach of precipitation. The difference will be but five days, and I have declared, that I see so many objections to the plan, that although I would not refuse their solicitation to send it, I could give no hope whatever of its being accepted as a ground of negotiation.

(Inclosure referred to in No. 67.)—Translation.—The undersigned has submitted to the First Consul his Britannic Majesty's ambassador's note of the 3d inst. After the last communication addressed to his excellency, it is more difficult than ever to conceive how a great, powerful, and enlightened nation, can be willing to take upon itself to declare a war which would be accompanied by such heavy calamities, and the cause of which would be so insignificant, the object in question being a miserable rock. His excellency must have been aware that the two-fold necessity of making an agreement with the guarantying powers of the treaty of Amiens, and of not violating a compact, in the execution of which the honour of France, the security for the future, and the good faith of the diplomatic intercourse between the nations of Europe, were so deeply interested, had imposed a law upon the French government of discarding every proposition diametrically contrary to the treaty of Amiens. Nevertheless the First Consul, accustomed for two months to make every species of sacrifice for the maintenance of peace, would not reject a mezzo-termino of a nature to conciliate the interests and dignity of the two countries. His Britannic Majesty appears to have been of opinion, that the Neapolitan garrison which was to be placed at Malta, would not afford a sufficient force for securing the actual independence of the Island. This motive being the only one which can explain his Majesty's refusal to evacuate the Island, the First Consul is ready to consent that the Island of Malta shall be placed in the hands of one of the three powers who have guarantied its independence, either Austria, Russia, or Prussia, with a proviso that as soon as France and

England shall have come to an agreement upon this article, they shall unite in their requisitions to engage the other powers, either contracting, or acceding to the treaty of Amiens, to consent to it. Were it possible that this proposition should not be accepted, it would be manifest not only that England never intended to comply with the terms of the treaty of Amiens, but that she has not been actuated by good faith in any of her demands, and that in proportion as France conceded one point, the British government advanced another. If this should be demonstrated, the First Consul will at least have given another proof of his sincerity, of his anxiety to devise the means of avoiding war, of his eagerness to embrace them, and of the value which he would place on their being adopted.

Downing-street, May 7, 1803.

No. 68.—My Lord, Your excellency's dispatches have been received, and laid before the King. The propositions which have been made to you on the part of the French government, and which have induced your excellency to delay your departure until the return of the messenger Sylvester, are in every respect so loose, indefinite, and unsatisfactory, and fall so far short of the just pretensions of his Majesty, that it is impossible that the French government could have expected them to have been accepted. During the whole of the discussions which have lately occurred, his Majesty has had a right to consider himself in the character of the injured party. No means have been omitted on his part to induce the French government to make a full and early explanation of their views, and to afford to his Majesty that satisfaction and security to which he considered himself to be entitled. It was in consequence of the apparent determination of the French government to evade all discussion on the points of difference between the two countries, that his Majesty was induced to state the grounds on which, according to his views, an arrangement might be concluded satisfactory to both governments; and he accordingly authorized your excellency to communicate the three projects which at different times I had forwarded to you. *Until the very moment* when your excellency was about to leave Paris, the French government have avoided making any distinct proposition for the settlement of the differences between the two countries, and when at the very instant of your departure, the French government felt themselves compelled to bring forward some proposition, they confined that proposition to a part only of the subject in discussion, and on that part of it, what they have brought forward is wholly inadmissible. The French government propose that his Majesty should give up the Island of Malta to a Russian, Austrian, or Prussian garrison. If his Majesty could be disposed to waive his demand for a temporary occupation of the Island of Malta, the Emperor of Russia would be the only sovereign to whom, in the present state of Europe, he could consent that the Island should be assigned; and his Majesty has certain and authentic information, that the Emperor of Russia would on no account consent to garrison Malta. Under these circumstances, his Majesty perseveres in his determination to adhere to the substance of his third project as his ultimatum: as, however, the principal objection stated by the French government to his Majesty's proposition is understood to be confined to the insertion of an article in a public treaty, by which his Majesty shall have a right to remain in the possession of the Island of Malta for a definitive number of years, his Majesty will consent that the number of years *(being in no case less than ten)* may be stated in a secret article; and the public articles may be agreed to conformably to the inclosed project. By this expedient, the supposed point of honour of the French government might be saved. The independence of the Island of Malta would, in principle, be acknowledged, and the temporary occupation of his Majesty would be made to depend *alone on the present state of the Island of Lampedosa.* You may propose this idea to M. Talleyrand, at the same time assuring him, that his Majesty is determined to adhere to the substance of his ultimatum. And if you shall not be able to conclude the minute of an arrangement on this principle, you will on no account remain in Paris more than thirty-six hours after the receipt of this dispatch. I observe by your dispatch, you did not consider yourself as authorized to deliver to the French government any note or project in writing. The words of my dispatch were, that you were to communicate the terms *officially*, which left it at your own discretion to communicate them verbally or in writing, as you might judge most expedient. You were certainly right in communicating them, in the first instance, verbally; but as so much stress has been laid by M. Talleyrand on this distinction, it is important that I should inform you, that his Majesty neither had nor has any objection to your delivering the inclosed project as an ultimatum, accompanied by a short note in writing. I cannot conclude this dispatch without recalling again your attention to the conduct of the French minister at Hamburgh, and referring you to my instructions, by which you should abstain from concluding the arrangement, unless you

have received from M. Talleyrand an assurance that his conduct would be publicly disavowed. I have the honour to be, &c.

(Signed) HAWKESBURY.

To his Excellency Lord Whitworth, K. B. &c.

No. 69.—*Extract of a Dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, May* 9, 1803.—The messenger Sylvester is arrived with your Lordship's dispatch, No. 15, of the 7th of May. As soon as I received your lordship's instructions, I prepared a translated copy of the project furnished me by your lordship, and a short note with which it is my intention to accompany the communication. I then sent a person to Monsieur de Talleyrand, to know when I could see him, and I was informed that he was at St. Cloud. I soon after learnt, that he was gone there in consequence of the accident which happened yesterday to the First Consul. I understand that no bad consequences are likely to ensue, and that he is able to transact business. I cannot, however, expect to see M. Talleyrand before to-morrow morning. Although this circumstance may cause a delay of a few hours, your lordship may be assured, that the execution of those instructions with which you have furnished me, shall not be protracted. I shall leave Paris most assuredly, or have concluded a satisfactory arrangement, within the time specified by your lordship, reckoning from the moment of my being able to make an official communication, rather than from that of the receipt of your lordship's letter.

No. 70.—*Extract of a Dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, May* 12, 1803.—The messenger Sylvester, as I mentioned in my last dispatch, returned on the 9th at twelve o'clock; and I wrote to M. de Talleyrand informing him of it, and desiring him to name an hour when I might wait upon him in order to communicate to him the purport of my instructions. To this letter I received no answer that evening or the following morning. Anxious to execute my orders, and to lose no time, I inclosed the project furnished me by your lordship, accompanied by an official note and a private letter to M. de Talleyrand, and sent it to the foreign department by Mr. Mandeville, with directions to deliver it to M. de Talleyrand, or in his absence to the *Chef du Bureau*. He delivered it accordingly to M. Durand, who promised to give it to his chief as soon as he came in, which he expected, he said, shortly. At half past four, having waited till that time in vain, I went myself to M. de Talleyrand; I was told that the family was in the country, and that they did not know when the minister would be in town. Half an hour after I had returned home, the packet which Mr. Mandeville had given into the hands of M. Durand, was brought to me, I believe by a servant, with a verbal message that as M. de Talleyrand was in the country it would be necessary that I should send it to him there. In order to defeat as much as depended upon me, *their intention of gaining time*, I wrote again to M. de Talleyrand, recapitulating the steps I had taken since the return of the messengers; and desired Mr. Talbot, the secretary of the embassy, to take it himself at nine o'clock at night, when I thought M. de Talleyrand would be at home, to his house at Meudon. He was, however, not at home. Mr. Talbot was told that he was at St. Cloud, were he had been all day, and that he would not be back until very late. He therefore left my private letter, with his name, and returned with the packet. It was my intention to have sent it on the following morning to the bureau, with orders that it should be left there; at one o'clock in the morning I received a note from M. de Talleyrand accounting for his not having been able to answer me sooner; and appointing me at twelve o'clock at the *Bureau des Relations Extérieures*. I went at the appointed time. He began by apologising for having so long postponed the interview, which he attributed to his having been the whole day with the First Consul. We then entered upon business. I told him that, limited as I was by your lordship's instructions, he could not be surprised at my impatience to acquit myself of my duty. I explained to him the nature of your lordship's observations on the proposal of the 4th, and that it was considered as on one hand impracticable from the refusal of the emperor of Russia to take charge of Malta, and on the other, as being wholly inadequate to his Majesty's just pretensions. I gave him the note in which this was expressed, and the project, on which alone a satisfactory arrangement could be framed He read them with apparent attention, and without many remarks; and after some time he asked me if I felt myself authorised by my instructions to conclude with him a convention, framed on the basis of my project, or indeed extending that basis, since the first article of it would be the perpetual possession of Malta to England, in return for a consideration. I told him I most certainly was not authorised to enter into any engagement of such a nature, which would make the negotiation one of exchange, instead of a demand of satisfaction and security. To this he replied, that the satisfaction and security which we required was Malta, and that this we obtained. That the First Consul could not accede to what he considered, and what must be considered by the public and by Europe, as the effect of coercion, but if it were possible to make the draft palatable, did I think myself justifiable in refusing

to do so. I told him that acting in strict compliance with my instructions, I could have no need of justification, and that I came to him with the determination of abiding strictly by them. He contended, that by communicating a project, I merely stated on what grounds we would be willing to conclude; and that a counter-project, founded on the basis of giving us what we required, could not be refused a fair discussion. To this I urged the resolution of his Majesty's ministers, to avoid every thing which could protract the negotiation. That I saw no other means of acting up to those views, than by making my stand on the project at all events. I urged him repeatedly to explain himself more fully on the nature of the demand which he should make for Malta, *but he could not, or would not explain himself.* After much contest, it was agreed that the proposal should be submitted to me in the course of a few hours, and that I should determine on the line of conduct I might feel myself justified in pursuing, either to sign it, to send it home, or to leave Paris. The remainder of this day passed without receiving any communication from M. de Talleyrand. Upon this, I determined to demand my passports, by an official note, whice I sent this morning by Mr. Mandeville, in order that I might leave Paris in the evening. At two, I renewed my demand of passports, and was told I should have them immediately. They arrived at five o'clock, and I propose setting out as soon as the carriages are ready.

(First Inclosure referred to in No. 70.) — *Translation.*—The undersigned, his Britannic Majesty's ambassador extraordinary and plenipotentiary to the French Republic, having transmitted to his court the proposal which was made to him by the minister for foreign affairs on the 4th instant, has just received orders to transmit to his excellency the accompanying project of a convention, founded on the only basis which his Majesty conceives, under the existing circumstances to be susceptible of a definitive and amicable arrangement. The minister for foreign affairs will not fail to observe to what degree his Majesty has endeavoured to conciliate the security of his interests with the dignity of the First Consul. The undersigned flatters himself, that the First Consul, doing justice to these sentiments, will adopt in concert with his Majesty an expedient so suitable for restoring permanent tranquillity to both nations, and to all Europe. The undersigned avails himself of this opportunity, to renew to his Excellency the assurance of his highest consideration. WHITWORTH.

(Second Inclosure referred to in No. 70.) —*Translation —Project.*—I. The French Government shall engage to make no opposition to the cession of the island of Lampedosa to his Majesty by the King of the two Sicilies. II. In consequence of the present state of the island of Lampedosa, his Majesty shall remain in possession of the island of Malta until such arrangements shall be made by him as may enable his Majesty to occupy Lampedosa as a naval station; after which period the island of Malta shall be given up to the inhabitants, and acknowledged as an independent state. III. The territories of the Batavian Republic shall be evacuated by the French forces within one month after the conclusion of a convention founded on the principles of this projet. IV. The King of Etruria, and the Italian and Ligurian Republics, shall be acknowledged by his Majesty. V. Switzerland shall be evacuated by the French forces. VI. A suitable territorial provision shall be assigned to the King of Sardinia in Italy.

Secret Article. His Majesty shall not be required by the French government to evacuate the island of Malta until after the expiration of ten years. Articles IV. V. and VI. may be entirely omitted, or must all be inserted.

(Third Inclosure referred to in No. 70.)

Paris, May 10, 1803.

Translation.—Sir, In order not to lose an instant of so precious a time, I have the honour to convey to you the project which I have received from my court, with the note which accompanies it. I shall have the honour of calling on your excellency at any hour you may appoint, in consequence of the request I made yesterday. But in the mean while, you will be in possession of the contents of my instructions. I hope to God that they may be of a nature to insure the tranquillity of both countries and of Europe. I avail myself of this opportunity to renew to your excellency the assurrance of my high consideration. WHITWORTH.

To his Excellency M. de Talleyrand, &c.

(Fourth Inclosure referred to in No. 70.)

Paris, May 10, 1803.

Translation.—Sir, Having yesterday morning received some important instructions to communicate to you, I wrote to you that evening to ask your excellency at what hour I could have the honour to acquit myself of this duty. That letter has not been answered. At two o'clock this afternoon, I sent Mr. Mandeville, attached to the embassy, to the office for foreign affairs, in order to deliver to your excellency, or in your absence to your first secretary, a sealed packet, containing the papers which I had to communicate to you, and I added a second letter to your excellency. Mr. Mandeville delivered this packet into the hands of M. Du-

rand, who assured him, that it should be communicated to you without delay. At half past four, not having received any answer to my letters, I went to the foreign office, and I there learnt that you were in the country, and that it was not known when you would return to town. Half an hour afterwards having returned home, the papers which my secretary had taken and delivered to M. Durand were brought to me, with a message that I must send them to the minister in the country. In this state of things, since your excellency does not give me an opportunity of making you this communication, I have no other alternative than to give it in charge to Mr. Talbot, secretary to the embassy. He will have the honour to deliver to you the project of a convention, which, I hope, will serve as a basis to an amicable arrangement between our two governments. I have only to add, that the term of my stay in Paris is limited, and I must set out on my journey for England on Thursday morning, if the negotiation is not favourably terminated before that time. I request you, Sir, to accept the assurance of my high consideration. WHITWORTH.

(Fifth Inclosure referred to in No. 70.)—Translation.—It being impossible for the undersigned to delay any longer executing the orders of his court, he finds himself obliged to request the minister for foreign affairs to have the goodness to expedite the necessary passports for his return to England. He requests his excellency to accept the assurance of his high consideration.

(Signed) WHITWORTH.

Paris, 12th May, 1803.

No. 71.—*Extract of a dispatch from Sir George Rumbold, Bart. to Lord Hawkesbury, dated Hamburgh, March* 29, 1803.—Late last night it was determined that the Senate should be convened extraordinarily on this day, in order to consider of a requisition from the French minister, to insert in the Hamburgh paper a most offensive article, intended as a justification of the First Consul, and an attack on the measures of the British government. It is with great regret that I inform your lordship, that the Senate have judged it prudent to comply with this demand; and that the article will be inserted in the paper of to-morrow; it is now in the hands of the publisher for that purpose. It was the wish of the Senate that they might at least be allowed to omit or qualify the most offensive passages, but Mr. Rheinhardt said his orders were positive, for the *full and exact* insertion of the whole.

No. 72.—*Extract of a dispatch from Mr. Hill to Lord Hawkesbury, dated Copenhagen, April* 2, 1803.—The French minister at Hamburgh received orders from his government to have inserted in the public papers of that city, an article which was sent to him, containing a commentary upon his Majesty's communication to Parliament, respecting the necessity of increasing the military forces of the country in the present circumstances. The Senate of Hamburgh consented with much repugnance to the insertion of this paragraph. The French minister desired that the same should be published in the papers at Altona; but the Danish magistrates said that they could not possibly permit it without an express order from this government. In consequence of this refusal, M. Daguesseau, the French minister at this court, received from his colleague at Hamburgh a copy of the article, with a request that he would solicit the permission of its publication in the Danish papers. To my knowledge he had no answer yesterday, and I have every reason to suppose that this government will shew the greatest reluctance in acceding to the French minister's request.

APPENDIX.

No. 1.—*Report made to the French Consul by Colonel Sebastiani, extracted from the Moniteur of the 30th of January*, 1803.

ON the 16th of September I embarked at Toulon on board the Cornélie; and on the 30th I arrived at Tripoli. I immediately wrote to Baron Cederstrom, the Swedish rear-admiral, as well as to the minister of the Pacha, to offer them my mediation to terminate the differences existing between the Swedish court and the regency. My mediation was accepted; the minister and the rear-admiral repaired to the commissarial house of France, and we entered on the negotiation. The two parties were far asunder; the Pacha demanded a considerable sum, and the augmentation of the annual tribute. He urged a treaty made two years ago by an envoy of the King of Sweden, which assured the payment of 225,000 heavy piastres, and of an annuity of 20,000; he added, that two

years of war had subjected him to extraordinary expences, and that he used great moderation in conforming himself to the treaty in question. M. de Cederstrom only offered in the name of his court, 100,000 piastres for the redemption of the Swedish slaves, who were to the number of a hundred and fifty, and an annuity of 5000 piastres. After much debate, I succeeded in making them sign a treaty which fixed the payment of the ransom at 150,000 piastres, and the annuity at 8000.—On the 1st of October I was presented with much pomp to the Pacha, who received me in the most distinguished manner. The exchange of the ratification of the treaty of peace took place, and the Italian Republic was formally acknowledged. I caused its flag to be hoisted on the commissarial house of France, and it was saluted by the frigate and the place with 21 guns.—It was not without difficulty that the Pacha consented to acknowledge that republic. He feared that all Italy was comprized in this new republic, and that, in consequence, he would be obliged to respect indiscriminately all the ships of commerce of that part of Europe:—this would destroy his marine. I gave him the necessary explanations, and particularly those which related to the object of his apprehensions, and he replied to me, 'Certainly I wish to be at peace with the Italian Republic, without too much injuring my interest; but if it were still more difficult, I would do it, since the great Bonaparte desires it.'—The Pacha of Tripoli is a brave and enterprizing man, the friend of France. The English have furnished succours to his brother, who is at present at Derue, without means or credit. His plan is to raise the country against the Bey. The political and administrative affairs of the regency are conducted by Seid-Muhammed-el-Deghais, minister of the Pacha. This man is full of sagacity, and has even some notions of European politics. He has been in France, and preserves for our country a predominant sentiment of affection. On the 2d of October I set out from Tripoli, and on the 16th arrived at Alexandria: the same day I waited upon General Stuart, commandant of the English forces by land and sea. I communicated to him the order of the minister for foreign affairs, which enjoined me to proceed to Alexandria, and if the English still occupied that place, to demand a speedy evacuation, and the execution of the Treaty of Amiens. General Stuart then told me, that the evacuation of the place would shortly be effected; but seeing that I insisted, and that I desired an answer less vague, he declared to me, that he had no orders from his court to quit Alexandria, and that he even believed he should pass the winter there. General Stuart is a man of *médiocre* talents: he has for his aid-de-camp a French emigrant, called the Chevalier de Sades, a man of talent, and an enemy of France, who has much influence over the general. I went the same day to see Khourchid-Ahmid, the Pacha of Alexandria and the Capitan Bey, commander of the forces of the Ottoman Porte. After the customary compliments, and some language agreeable to the Sublime Porte, I announced to them, that the agents of French commerce would assemble in Egypt. This communication gave them the greatest pleasure, and they did not conceal that they saw with grief the stay of the English in the country. I told them, that their stay could not be much longer, and that the general peace left no doubt of their approaching departure. On the 17th I visited the Cheik El-Messiry. The same day I also visited the Cheik Ibrahim Mufti. On the 18th I visited the Coupure du Khalidj, which has formed the Lake Mareotis. The current of the waters of the lake Madié is still very strong, and if the Porte does not make haste to re-establish this important canal, the overflows which take place on the little tongue of land that separates the two lakes, will render the opening so considerable, that it will be impossible to travel. I do not think that the Swedish engineer sent by the Porte to direct these labours, has the necessary talents. The formation of the lake Mareotis appears to have contributed to the salubrity of the air. The city has no other water than what it draws from the well of Marabouf. This little fort I found guarded by an English and Turkish garrison, in order to protect the inhabitants who came to draw water. I employed the day of the 19th in perambulating the town, and receiving different individuals who came to visit me. On the 20th, I set out for Cairo, escorted by two Turkish officers, and six French soldiers, whom I had taken on board the frigate, but contrary winds obliged me to return to the port. The next day I was at Aboukir, where I passed the night. I profited by this opportunity to visit the fort, which is in a very ruined state. On the 22d I arrived at Rosetta, after having visited the fort Julien; I saw the same day Osman, Aga, and Duvanny of the town, as well as all the Christians who reside there. The 23d I was at Raoné, where I visited the commandant of the place, the Cadi, and the Cheiks; I received from the latter, and from all those whom I entertained, protestations of attachment to the First Consul. I passed the next day at Ralimanie, where I visited the Cheik Muhammed-Abou-Aly; the fort of the town is almost entirely destroyed. I visited on the 25th, at Menouf,

the Cheik Abdin, whom the First Consul had appointed Cadi. The other Cheiks of that town who came to visit me, held the same language as those of Faoné. I said to them, 'The First Consul loves your country much, he speaks of it often; he interests himself in your happiness; he did not forget you, and recommended you to the Porte. He has made peace with Europe, and this country will feel the interest which he takes, and the recollection which he has preserved of the poor Cheiks of Egypt.' Muhammed Kachef-Zourba Matzellem, who commanded at Menouf on my journey through that town, has been beheaded in consequence of being accused of communications with Mamelukes. The two forts of Menouf are destroyed. I arrived the same day at Boulak. I sent immediately Citizen Joubert to inform the Pacha of Cairo of my arrival. The next morning, the 26th, the Pacha sent 300 cavalry and 200 infantry, commanded by the principal officers of his household, to accompany me to him, amidst a great many discharges of artillery. Having arrived at the Pacha's, I said to him, 'Peace has been concluded between the French Republic and the Sublime Porte; the ancient relations of amity and commerce have been re-established, and I am charged by the Great Consul Bonaparté to assure you of his benevolence, and to announce to you the arrival of commissaries of the French commerce in Egypt.' The Pacha answered me, 'The benevolence with which the First Consul has honoured me, penetrates me with gratitude, and his commercial agents shall meet here the most friendly reception.' I proceeded then to the house which the Pacha had prepared for me. I received the same day the visits of all the principal men of the country, and of the Copt Intendants. On the 27th I again repaired to the Pacha, with whom I had a long conference. I spoke to him in these words: 'The First Consul takes in you, and the country which you govern, a very lively interest, and desires to contribute to your happiness; he has charged me, therefore, to offer you his mediation, in order to make peace between you and the Beys.

The Pacha thanked me warmly and sincerely for the interest which the First Consul took in his behalf, but, he protested to me, that he had the most positive orders from his court, to make a war of extermination upon the Beys, and not to enter into any arrangement with them. I observed, that the unfortunate circumstances which had happened to the Ottoman troops (they had been beaten five times successively by the Mamelouks), rendered their position very critical, and that obstinacy exposed them to the loss of the province. He then communicated to me the order of the Porte, and I saw beyond a doubt that it was not possible for him to enter into any accommodation. I informed him that I intended to visit the different Cheiks of Cairo, and also Madame Murad Bey, and to inspect the environs and fortifications of the city. He ordered immediately that the guard which he had sent should accompany me wherever I wished to go, informing me that he would use every means in his power to render my stay at Cairo agreeable. The same day I commenced my visits, beginning with the Cheik Abdallah-el-Chescanoi, of the great mosque. As I was expected by him, he had assembled a considerable number of Cheiks. The conversation turned upon the interest which the First Consul took in Egypt, on his power, his glory, and on his esteem and benevolence for the learned Cheiks of Cairo. Their answers expressed their attachment to his person. He must have been a witness like myself to the enthusiasm excited at the view of the portrait of the First Consul, to form an idea of the exaltation of their sentiments. I have given it to all the principal Cheiks of Cairo, and of the towns where I have travelled. On the 28th I invited the Cheik Omar El-Berky, Prince of the Shirifs: he was ill, and I saw only his son. The Cheik Suleiman El-Fargoumy received me with much friendship, and assured me of his boundless admiration for the First Consul. The citizen Joubert and Beye have certified to me that the inhabitants of Cairo never testified so much attachment to France as on my arrival. When we pass along the streets, every body salutes us. Their astrologers make predictions every day as to what concerns the First Consul. On the 29th, I went to visit Madame Murad Bey: her Intendant had already prayed of me that I would grant her an interview. I informed her, that the First Consul had charged me to interpose my mediation, in order to make their peace with the Sublime Porte; but that the Pacha had ordered that no negociation should be entered into. I employed that day and the following in visiting the citadel, the isle of Ro da Gizé Boulak, and all the other little forts which surround the city. The Turkish soldiers murmured to see me visit their forts, but I feigned not to hear them, and continued my course and my observations. On the 29th, in returning to Fort Dupuy, a soldier menaced me with his attagan; but as the inhabitants of the city testified highly their indignation against him, I did not stop at his menaces, and continued my route. A moment afterwards Mustapha Oukil, one of the chiefs of the city, passed before me on horseback. In passing, he reproached my guide

with marching before a Christian, and above all, before a Frenchman, and menaced them with the bastinado after my departure. I could not be silent under such an insult; and upon my return I sent Citizen Joubert to the Pacha, to make my complaint, and demand a prompt redress. I declared to him that I expected this man would come publicly to me to ask my pardon, place himself at my disposal, and implore my pity. He found that Mustapha was greatly protected by the Pacha, and wanted to arrange it otherwise; but I persisted by declaring formally to the Pacha, that if this reparation was not made in the manner in which I demanded it, I should instantly depart, and immediately write to Paris and Constantinople to state my complaint. This declaration produced all the effect which I expected; and Mustapha, alarmed, came on the following day to me, conducted by Rosetti, and he publicly asked my pardon, and put himself at my disposal. I told him that my first intention had been to cut off his head, and that I only gave him his life at the solicitations of the Pacha and M. Rosetti; but if in future he should ever insult the French, or those in their suite, his destruction would be inevitable. This affair, which was instantly spread throughout the whole city, produced the best effect. The same day an attempt was made to excite the Albanese against me. Two letters from Rosetta, written by English Protegées, assured that there had been seen upon the coasts of Naroli a French fleet of 300 sail; that we were marching against Constantinople, and that my visit to Egypt had no other object but to deceive them, and blind them to their dangers. I made the merchant come to me who had received the letter: I made him give it me—I instantly sent it to the Pacha himself, telling him that this absurd news was spread to occasion disorders, and to endeavour to alter the good understanding which existed between France and the Sublime Porte; and I guaranteed the falsehood of it with my head. The Pacha had discovered the snare, and did not fall into it. He even communicated to me a letter from General Stuart, which he had just received, and to which was joined an order of the day, of the First Consul, when he commanded the army of Egypt. This order of the day was dated in August 1799, and recalled to the recollection of the Egyptians, that Constantinople was tributary to Arabia, and that the time was now come to restore Cairo to its supremacy, and to destroy the Eastern empire of the Ottomans. General Stuart begged the Pacha to consider the spirit of that order, and to judge from it of our attachment, and of our peace with the Turks. I was indignant to find that a soldier of one of the most polite nations of Europe should degrade himself so far as to instigate assassination, by means of such an insinuation—the Pacha treated me with the greatest politeness, and the English at Cairo were witnesses of the attachment of that city to the French. I received a deputation from the Monks of Mount Sinai, whom I recommended to the Pacha: I wrote to their superior, to assure them of the friendship and protection of the First Consul. The Monks of the Propaganda at Cairo, whom I placed under the national protection which they enjoyed before the war, celebrated a *Te Deum* for the prosperity of the First Consul. I assisted at this ceremony, at which all the Christians of Cairo were present. The evening before my departure (the 2d of November) I had another interview with the Pacha, and recommended all the Christians of Cairo to his protection, as well as the Turks, who, during the residence of the French in Egypt, were connected with them. He not only promised to respect them, but even to treat them with bounty. On the 3d, I set out in a conveyance of the Pacha's, in order to repair to Damietta. The Pacha ordered me to be escorted to Boulak, with the same honours that I received on the day of my arrival. I had written to Captain Gourdin, to repair to Damietta with the frigate, in order to convey me to Syria. On the 5th I stopped a short time at Simenoud, and afterwards at Mansoura, where I saw the commandant of the city and the Cheik Esseid-Muhammed-El-Chenaoni, who came to see me, as well as all the other cheiks. I spoke to them in the same manner as the other cheiks of Egypt, and received the same promises of attachment. The Tower of Mansoura is destroyed. The same day I arrived at Damietta. The next day I went to Ahmed-Pacha Behil, a creature of the Grand Vizier's; he returned my visit the same day. He conducted himself perfectly well to me during my stay in that city. On the 7th I went to visit the fort of Lesbe and the towers of Bogaz. They have not continued the works of that fort, which is in a bad state: those of Bogaz are in a good condition. There is a garrison of 200 men in the fort and in the towers. On the 8th I received the visit of Hassan Toubar: his influence over the inhabitants of Mensale is still the same. On the 9th I went to Senenie, where I saw the Cheik Ibrahim-El-Behlout, he who behaved so well to the French under the orders of General Vial, when they were taken and imprisoned. The First Consul had exempted his village from all contributions. I saw all the chicks at Damietta, particularly Ali Khasaki, whom the First Consul had invested

with a pelisse; he is possessed of great credit, and is much attached to the French. There are at Damietta two Christians, who are men of merit, and may be very useful to us: they are M. Bazile and Don Bazile. They are possessed of good information, have very considerable fortunes, and are very highly respected. In Egypt, chiefs, merchants, people, all like to talk of the First Consul; all offer up prayers for his happiness. All the news which concerns him spreads from Alexandria or Damietta to the Pyramids and the Grand Cataracts with astonishing rapidity. On the 14th the frigate arrived at Bogaz from Damietta: I immediately set out for Acre, at which place I arrived on the 19th. The 20th of November, in the morning, I dispatched Citizens Joubert and Legrange to Dgezzar-Pacha, with a letter, in which I stated to him, that peace being concluded between France and the Porte, the relations of commerce should be re-established on the footing they stood before the war, and that I was charged by the First Consul to confer with him, on these objects. I begged of him to answer me in writing, if he was inclined to treat with me. In some hours the messengers returned: Dgezzar had received them coldly. He expressed his desire to see me personally, but was unwilling to write. Every body advised me not to see him, without an assurance written by himself; but this he appeared unwilling to do: but notwithstanding this cautionary advice, and his obstinate refusal to write, I determined to repair myself immediately to Acre. I repaired to the house of the Commissary of the Seven Isles. Very soon after, the Drogoman of the Pacha, informed of my arrival, came to conduct me to the Pacha, who received me in an apartment where he was unattended, and which was without any other furniture than a carpet. He had on one side of him a pistol with four barrels, a small air-gun, a sabre, and a hatchet. After enquiring as to my health, he asked me, whether I was not persuaded that our end is pre-ordained in heaven, and that nothing could change our destiny. I answered that I believed, as he did, in predestination. He continued to speak for some time on that subject. I perceived, however, that he affected a degree of simplicity, but that, at the same time, he wished to pass for a man of wit, as well as for a just man. He repeated several times, 'It is said, that Dgezzar is barbarous; this is false; he is but just and severe. Request of the First Consul not to send me, as commissary of commercial relations, a lame or a blind man; because such a person would be sure to say, that Dgezzar had made him so.' Soon after he said, 'I desire that the commissary you may send shall reside at Seide, as that is the most commercial port in my dominions: besides, it is not necessary he should reside here, where I shall be myself the French commissary, and shall take care that your countrymen be well received. I highly esteem the French. In stature Bonaparte is small, but he is nevertheless the greatest of mankind. I know that he is greatly regretted at Cairo, where they wish to see him again. I made a few observations on the peace between France and the Porte; to which he answered, 'Do you know why I have thus received, and feel so much pleasure at seeing you? It is because you come unauthorized by a *Firman*, and without any orders from the Divan. I have the greatest contempt for its blind Vizier. They say that Dgezzar is a Bosnian, a man of straw, and cruel to excess; but nevertheless, I can stand the ordeal. I was once poor. My father had nothing to bequeath me but courage. I have achieved my own elevation by dint of exertion. This, however, does not make me proud, and Dgezzar, perhaps, will soon finish his career; not that he is old, as his enemies report, (he then performed some of the manœuvres of the Mamelukes, in their mode of rising their arms, &c. which he really executed with surprising adroitness and agility), but because, most likely, God will have it so. The King of France, once so powerful, has perished. Nebuchadnezzar, the greatest of all kings, was, when his time was come, killed by a fly, &c.' He made several other observations in this strain, and afterwards spoke of the motives which induced him to make war upon the French army: from the whole of his demeanour it could easily be seen, that he wished to be on good terms with the First Consul, and that he stifled his resentments. The following is the apologue, which he used to demonstrate the causes of his resistance. 'A black slave,' he said, 'after a long journey, in which he had suffered the greatest privations, arrived at a little field of sugar canes: he stopped therein, and indulged himself in partaking of the delicious liquor they afforded; and at length was determined to remain on the spot. Very soon after, two travellers, who had followed him, came up. The first said to him, Salamalle (the mode of wishing health). The devil take it, answered the black. The second traveller then approached, and enquired why he had answered in such a way to so good a wish. I had very good reason for it, replied he; if I had answered in a friendly manner, the man would have entered into conversation with me, and afterwards sat down beside me; he would have partaken of my refreshments, and finding them deare-

able, would have endeavoured to obtain exclusive possession.' I recommended to the favourable attention of Dgezzar the Christians and the convents at Nazareth and Jerusalem: he assured me that he would treat them with much regard. I did not forget the Mutuales, and received the same assurance in their behalf. Dgezzar frequently observed to me, that his word was, with him, more sacred than treaties. Our conversation was interrupted for some moments by a kind of military music, which he performed in a very agreeable style. The palace of Dgezzar is built with much taste and elegance; but, in order to arrive at the apartments, a number of turnings are necessary. At the foot of the staircase, however, is situated a prison, the gate of which is allowed to be open from noon till evening. I saw a number of the unfortunate inhabitants. In the courts I observed twelve field-pieces well mounted, and in admirable order. Never did I encounter a sight more hideous or repulsive than that of the minister of Dgezzar, whom I met in going out. The Pacha had caused one of his eyes to be put out, and his nose and ears to be cut off. I saw in the town more than a hundred individuals in the same state. On beholding the domestics of Dgezzar, and even the inhabitants of Acre, one would imagine himself in the resorts of brigands ready to assassinate. This monster has imprinted the mark of his atrocious character upon every thing within the limits of his power. I had an opportunity of seeing, while at Acre, the Procurateur of the Propaganda, as well as that of the Holy Land. Of the former, and of the Commissary of the Seven Isles, I collected some information concerning the present state of Syria, and the fortifications of Acre, of which I had seen but a part: I was not suffered to visit them. The Procurateur of the Holy Land is grateful to the First Consul for the protection he had afforded the monks. He assured me that my recommendation to Dgezzar would be very useful. He hinted to me Dgezzar's earnest wishes to be on good terms with the First Consul. It is certain that the former behaved very well to the crew of a French vessel which put into Acre shortly before my arrival. Dgezzar occupies all Palestine, with the exception of Jaffa, where Aboumarak Pacha has been besieged nearly five months, by a force of 9000 men. This operation prevents Dgezzar from carrying on hostilities with the desired vigour against the Emir of the Druses, who, for the space of a year, had paid him no tribute. Tripoli is tranquil at present: it is different at Aleppo, whence the Pacha has been driven. Damascus is in open rebellion against the Porte: not only has the Pacha of the Divan been expelled, but the Aga, who commanded the citadel for the Turks, has been delivered up by the soldiers to the insurgents, who have decapitated him. Tripoli is now under a rebellious Pacha, who is a creature of Dgezzar; who has lately ordered him to protect the pilgrims from Mecca. In a word, all Syria is wit Dgezzar, and the Ottomans are as much detested here as in Egypt. The Mutuales live peaceably in their villages; they have, however, been obliged to retire from the borders of the sea. Aboumarak is now at the last extremity: this man is equally inconsiderate and cruel, and is surpassed only by Dgezzar. The Christians are even more in dread of him, and tremble for their future situation. The monks of the convent of Jaffa have withdrawn to Jerusalem. The 21st November I quitted Acre. As the winds were unfavourable to a voyage to Jaffa, I set sail for Zante, where I arrived the 4th December. I landed the same day, but the ship's company were put under quarantine. I repaired to the house of the French commissary, escorted by the officers of health. I soon learned that the Isle and the Republic were split into different parties, and that even the tranquillity of the place was threatened. I assembled the members of the constituted authorities, and the principal persons of the town, at the house of the governor, M. de Calishipode. After having represented to them the interest which the First Consul took in their welfare, I induced them to lay aside that spirit of party which distracted them, and to wait without passion, and in silence, the new constitution. These few words were received with enthusiasm, and all of them exclaimed, 'France for ever, Bonaparté for ever!' These cries were reiterated on my going out by more than 4000 men, who followed me to the door. The governor and the Russian commandant were alarmed at it; and I learned by the French commissary, on the following day, that two of the leading men were sent to prison, but that, on his solicitations, and fearful of my reproaches, they were set at liberty in the course of the night. I went to the Conciergerie, and had the governor brought there. I spoke to him strongly on the irregularity of his conduct: he was alarmed, and promised that he would look upon those who cried out, 'Live the First Consul!' as good citizens, and in future treat them as such. As he sent, in the course of the night, a courier to his government, and I had reason to believe he had made a wrong report, I immediately wrote to the Charge d'Affaires of the Republic at Corfou, to inform him what had passed, and that I was setting off for Messina. I do not stray from the truth in

assuring you, that the islands of the Ionian Sea will declare themselves French as soon as an opportunity shall offer itself.

English Army in Egypt.—That army, commanded by General Stuart, consists of 4430 men. They wholly and exclusively occupy Alexandria and the neighbouring forts. The Turks, who formed the garrison of some of these forts, have been removed. Lately the English general has occupied Demanhour with 100 infantry and 100 horse, under the pretext of curbing the Arabs. The English have made no necessary works for the maintenance of the forts; the palisades are almost entirely destroyed, and the branches occasioned by the rains have very much damaged all the new fortifications. They occupy none of the works which are beyond the line of the Arabs, and all the redoubts which existed at the departure of the French army are destroyed. The Pacha of Cairo furnishes to the English army corn, rice, wood, and provisions, without any payment. The consumption is treble what it should be: they commit great waste. A great misunderstanding reigns between General Stuart and the Pacha.

STATE OF THE ARMY.

Dillon's regiment—emigrants -	450
British chasseurs—ditto - -	550
Role's regiment—Swiss - -	600
Wetteville's regiment—ditto -	680
The 10th regiment of infantry—English	600
The 61st regiment infantry—ditto -	650
The 88th regiment infantry—ditto -	400
Dragoons of the 26th light—ditto -	350
Artillery—ditto - - -	150
Total -	4430

The Turkish Army.—Muhammed, Pacha of Cairo, who has taken, it is not known why, the title of Viceroy of Egypt, does not command the troops in person. Muhammed Aly-Serr-Chersme, who had the command since my arrival, was killed before Gaza; they are now under the orders of Jussef Kiahia. Tair is Pacha of the Arnaoutes, who compose the greatest part of this army, amounting to about 16,000 men. They from time to time receive reinforcements. Chourchid-Ahmed, a Pacha of two tails, is at Alexandria with 600 men, who occupy no fortification. This Pacha is, as one may say, a prisoner with the English. The Turkish army consists of 7640 men, and that of the Arnaoutes of 8500, making a whole of 16,140. It is useless to add, that this is not an army; they are men ill armed, without discipline, without confidence in their chiefs, and enervated by excessive debauchery. The chiefs are in every thing like their soldiers; ignorant even of the first principles of the military art; and uniformly actuated by the love of wealth, they think of nothing but of obtaining it, and of finding the means of carrying it off in safety. Six thousand French would at present be enough to conquer Egypt.

Army of the Mamelukes.—The army of the Beys is composed of 3000 Mamelukes, of 3500 Arabs of the tribe of Ababde of Chark, and of 3500 of the tribe of Binialy. Muhammed Bey Elfy married the daughter of the Cheik of the first, and Maarzouk Bey, son of Ibrahim Bey, the daughter of the Cheik of the tribe of Binialy. The power in this army is divided between Ibrahim Bey, who is the chief, Eley Bey and Osman Bey, who has succeeded Murad Bey. Their head-quarters are at Djergé. They have 80 French deserters, which form a small corps of artillery. To the present time they have beat the Turks in every action, and the Egyptians prefer them to the Osmanlis. The whole of Upper Egypt has submitted to them.

Syria.—Acre. The body of this place has been repaired; the port has been covered with a small horned work, and the tower of the angle by a half-moon. They have likewise made a small fleche, in front of the palace of the Pacha. All the works are well kept. The weakest part is that towards the sea, and particularly the point which defends the entrance of the port. The forces of Dgezzar are at present 13 or 14,000 men, of which 9,000 are employed at the siege of Jaffa. Jerusalem and Nazareth are occupied by the troops of the Pacha of Acre. The Naplonsains serve against Aboumarsk.—*Jaffa.* The Vizier, after the taking of Egypt, caused the body of the place to be re-constructed, which is at present in a very good state. Aboumarak, Pacha of Palestine, who defends this place, has a garrison of 4000 men. Gaza is occupied by 400 troops of Aboumarak. The Emir of the Druses has refused to Degezzar his annual contribution, and has raised a respectable armament. The Pacha waits till the fall of Jaffa to attack him. The English wished to interfere as mediators between the Emir and Dgezzar, but the last refused their mediation. The Porte has, at this moment, little connexion with Syria.

(Signed) HORACE SEBASTIANI.

No. 2.

Paris, 3 Ventose, Feb. 22.

ACTS OF THE GOVERNMENT.

Decree of the Government of the 21st February.—The government of the republic decrees, that a view of the present situation of the republic shall be carried to the legislative body by the messengers of the government,

and also the same be inserted in the bulletin of the laws.

(Signed) BONAPARTE, First Consul.

By order of the First Consul,

(Signed) H. B. MARET, Secretary of State.

VIEW OF THE STATE OF THE REPUBLIC.

Events have neither frustrated the wishes nor disappointed the expectations of government. The Legislative Body, on resuming its labours, has the satisfaction of finding the republic strengthened by the union of its citizens, more active in its pursuits of industry, and more confident in its prospects of prosperity. The execution of the Concordat, from which the enemies of public order still ventured to conceive criminal hopes, has almost every where produced the most beneficial effects. The principles of an enlightened religion, the voice of the sovereign Pontiff, the firmness and perseverance of government have triumphed over every obstacle. Mutual sacrifices have reunited the ministers of religion; enlightened reason, and cordial unanimity have revived the Gallican Church; and the happiest change has already manifested itself in the public morals. Every day produces a more perfect coincidence of opinion and of sentiment. Childhood is more docile to the instructions of parents, and youth more submissive to the authority of magistrates. The conscription goes on smoothly in those very places, where the mere name of conscription was sufficient to stimulate insurrection, and to serve the country is now become a duty of religion. In those departments which the First Consul visited, he every where received pledges, and observed proofs of a return to those principles which constitute the strength and the happiness of society. In the departments of the Eure, the Lower Seine, the Oise, the inhabitants proudly exult in the national glory. They are sensible to their full extent of the advantages of equality. They hail with blessings the restoration of peace; they receive with blessings the re-establishment of public worship. These are the tie that bind down every heart to the state and the constitution. It is the duty of government to cherish and direct these auspicious dispositions. Other forms of worship have been regularly organized. Consistories are formed of enlightened citizens, tried and acknowledged defenders of public order, of civil and religious liberty. Public instruction, that indispensible support of society, is every where sought after with eagerness and alacrity. Several lyceums have already been opened; already, as government had well foreseen, a number of private schools aspire to the rank of the secondary schools. The whole body of citizens shew their conviction that there can be no happiness without the light of education; that, without talents and information, there can be no equality but that of misery and servitude. A military school is opened to receive the young defenders of the country. Soldiers, they will learn to support the life of camps, and endure the fatigues of war. By long habits of obedience they will be trained up to the art of commanding, and they will bring to the armies courage and discipline, united with talents and with knowledge. In the lyceums, as well as in the military school, the youth of the departments, newly incorporated with the republic, will live mingled without any distinction with the youth of old France. From this confusion of minds and manners, from this communication of habits and of dispositions, from this commixture of interests, of projects, and of hopes, will spring up that fraternity, which of several nations will make but one people, destined by their position, by their courage, and by their virtues, to form the centre of union, and the example of Europe. The national institute, which has its ascendancy over public instruction, has received a more useful direction, and henceforward will exert a more active influence over the national character, over the language of the country, and over the arts, sciences, and literature. In order to insure the stability of our infant institutions, in order to remove from the eyes of the public the spectre of discord which appeared to them in the periodical return of elections to the supreme magistracy, the friends of the country called for the consulate for life to be granted to the first magistrate. The people upon being consulted answered to their call, and the senate proclaimed the will of the people. The system of lists of eligibility could not resist the test of experience, and the force of public opinion. The organization of the senate was incomplete. The national justice was left to be administered by tribunals without harmony, and without dependence on each other. There was no authority to protect or to reform them; no tie of restraint to subject them to one common discipline. In fine, there was wanting to France a power to reclaim justice itself, the power of granting pardon. How often these twelve years past has that power been implored! How many unfortunates have fallen the victims of an inflexible sternness with which wise men reproached our laws! How many criminals have been acquitted through a false indulgence, because our punishments were too severe! A senatus consultum has restored to the people the exercise of those rights which the Constituent Assembly had acknowledged; but it has restored them surrounded with precautions, which preserve

the people from errors or precipitation in their choice; with precautions which guard the influence of property, and the preponderance of enlightened talents. Should the first magistracy become vacant, the duties and the proceedings of the Senate are traced out for such an emergency: forms of certain operation guide the wisdom and the liberty of their choice; and the quick decision of that choice deprives ambition of the means of conspiring, and anarchy of the means of destroying. The cement of time will every day consolidate, more and more, this tutelary institution. It will be not only the term of all disquietudes, and the object of all hopes, but likewise the fairest recompences that can be held out to public services and public virtues. Justice embraces all the tribunals with one common bond. They have each their subordinate station and their censor: they are always free in the exercise of their functions; always independent of power, but never independent of the laws. The privilege of granting pardon when the interest of the Republic requires it, or when circumstances prescribe indulgence, is entrusted to the hands of the First Magistrate; but it is only confided to him under the guard of justice itself; he is to exercise it only under the eyes of a council, and after having consulted the severest oracles of the law. If institutions may be appreciated by their effects, never was any institution more important in its result than the organic Senatus Consultum. From that moment the French people began to confide in their destiny; property began to reassume its former value, and speculations of distant view to be multiplied;—until that moment every thing seemed to float in uncertainty. The present moment was cherished; the next was a subject of alarm, and the enemies of the country continued to cherish hopes. Since that moment they are reduced to impotence and to detestation. The island of Elba has been ceded to France; that acquisition gives her a mild and industrious people; two fine ports, a productive and precious mine: but being separated from France, it could not be intimately united with any of her departments, or subjected to the regulations of a common administration. Principles have been made to bend to the necessity of circumstances; exceptions have been established for the Island of Elba, which its position, and the public interest prescribed. The abdication of the sovereign, the will of the people, and the necessity of existing circumstances, had placed Piedmont under the power of France. Amidst the nations that surrounded it, with the elements that composed its population, Piedmont was unable to support either the weight of its own independence, or the expences of a monarchy. United to France, it will reap the benefits of its security, and its greatness; its laborious and enlightened citizens will exert their industry and their talents in the bosom of the arts, and under the shade of peace. Security and tranquillity prevail in the interior of France. The vigilance of the magistracy, the severity of justice, and a gendarmerie vigorously appointed, and directed by a Commander, grown grey in the career of honour, has every where impressed terror on the minds and the attempts of the brigands. Private interest has raised itself to a sentiment of public interest. Citizens have not shrunk from attacking those whom they formerly dreaded, even when they were chained down at the foot of the tribunals of justice. Whole communes have taken up arms and destroyed the brigands. Foreigners envy the security of our public roads, and that public force, which, though often invisible, is always present, attend on their footsteps, and watch for their protection, without any necessity of imploring its aid. During the course of a difficult year, amidst the exigencies of a general scarcity, the poor looked with confidence to the care of government. They supported with courage the privations which necessity imposed: and they received with gratitude the succours which they were taught to expect.—The crime of forgery is no longer encouraged by the hope of impunity. The zeal of the tribunals appointed to prosecute and punish it, and the just severity of the laws have at length checked the progress of an evil which threatened both the public treasure, and the fortunes of individuals. Our cultivation daily improves, and defies the most boasted agricultural systems of Europe. In every department are to be found enlightened farmers, who afford both instruction and example. Premiums have been held out for improving the breed of horses; and similar encouragements are proposed for the improvement of wool by the introduction of a foreign breed of sheep. Zealous administrators are every where occupied in tracing out and revealing the richness of our soil, and in disseminating the useful plans and the happy results which experience daily discovers. Our manufactures multiply and receive new spirit and improvement. While they emulate each, they will soon, no doubt, become the rivals of the most renowned manufactures of foreign countries. Henceforth there will be nothing wanting to their prosperity but capitals less dearly purchased. But capitalists begin already to give up the hazardous speculations of stock-jobbing, and devote their attention to the improvement of land and the pursuit of useful enterprizes. More than twenty thousand workmen, who were dispersed throughout Europe, have been recalled by the attention and by the favours of Government,

and will soon be restored to our manufactures. Among our manufactures there is one which is almost peculiar to France, which Colbert kindled up by his genius. It was buried under the ruins of Lyons: Government has exerted all its endeavours to extricate it. Lyons is again restored to splendour and opulence; already do its manufactures impose a tribute on the luxury of Europe. But the principle of their success is to be found in the luxury of France itself; it is in the changefulness of our taste, and the mutability of our fashions, that foreign luxury must look for its aliment, it is it that gives motion and life to an immense population, who, without that encouragement, must lose itself in corruption and misery. There will soon be at Compiegne, there will soon arise on the confines of La Vendee, a number of Prytanees, where our youth will be brought up in habits of industry, and instructed in the mechanical arts. From that source our dock-yards and our manufactories will one day draw inspectors to direct their labours. Fourteen millions arising out of the barrier tax, and ten millions out of the extraordinaries, have been employed during the year 10 in improving the public roads, in keeping up the old communications. New communications have also been opened. The Simplon, Mount-Cenis, and Mount-Genevre, will soon open a triple and easy access to Italy; a high road will lead from Genoa to Marseilles; a road is chalked out from Saint Esprit to Gap; another from Rennes to Brest, through Pontivy. At Pontivy establishments are to be raised which will have a powerful influence over the public mind of the departments of which ci-devant Britanny was composed; a canal will introduce into it new sources of commerce and prosperity. On the banks of the Rhine from Bingen to Coblentz, a necessary road is cut through inacessible rocks. The neighbouring communes associate their labours to the sacrifices of the public treasury, and the people of the other bank, who ridiculed the folly of the enterprize, are astonished and confounded at the rapidity of the execution. A great number of workmen are employed on the canal of Saint Quintin. The canal of Ourcq is opened, and soon will Paris people enjoy the benefit of its waters, and the salubrity and the embellishments which they promise. The canal intended to unite the navigation of the Seine and the Saone, of the Danube and the Rhine, is almost entirely finished as far as Dole, and the public treasury already receives in the increased price of wood, to which that canal opens the approach, a sum equal to that which it has furnished for the continuance of the work. The canals of Argues, Mortes, and the Rhone, the draining of the marshes of the Lower Charente, are begun, and will open up new channels to commerce, and afford new lands for cultivation. Works are going forward for the reparation of the dykes of the Isle of Cadsand, of Ostend, of the Cotes du Nord, and the re-establishment of the navigation of our rivers. This navigation is no longer given up solely to the labours and the cares of government. The owners of boats plying on these rivers have already felt that it was their patrimony, and they fix on themselves the taxes by which the works are to be kept in proper repair. On the ocean forts are erecting to cover the roads of the isle of Aix, and to protect the vessels of the Republic. Every where funds are raised for the reparation and improvement of our ports. A new bason and locked sluices will terminate the harbour of Havre, and will form an excellent port for the commerce of La Manche. A company of pilots is formed to secure the safe navigation of L'Escaut, and to free foreign pilots from the danger to which an unknown navigation must expose them. At Antwerp labours are begun, which will have the effect of restoring to its commerce its ancient celebrity, and the government has in contemplation a plan for forming canals to unite the navigation of the Escaut, the Meuse, and the Rhine, to give to our docks those materials of wood which grows in our own soil, and to our manufactures a perfection which the manufacturers of other countries dispute with us on our own territory. The islands of Martinique, Tobago, and St. Lucie, have been restored to us with all the elements of prosperity. Guadaloupe, reconquered and pacified, returns to cultivation. Guiana rises from a long protracted infancy, and assumes a flourishing appearance. St Domingo had submitted, and the author of its troubles was in France.—Every thing announced the return of prosperity, but a cruel malady delivered it up to new miseries. At length the scourge which desolated our army has ceased its ravages. The forces which now are on the island, and those which will speedily arrive from our different ports, guarantee the prospect of its speedy return to peace and to commercial pursuits. Vessels are setting sail for the isles of France and Re-union, and for India. Our maritime commerce is seeking to renew its ancient connections, to form new relations; and by these efforts it gains new strength. Already happy experience and wise encouragements have reanimated a spirit for engaging in the fishery which was long the patrimony of France. Commercial expeditions still more important are formed or projected for the West-India Colonies, the Isle of France, and the East Indies. Marseilles resumes in the Mediterranean its antient ascendancy. Chambers of commerce have been restored in the cities where they formerly existed. New ones

have been established in those places, which, by the extent of their operations and the importance of their manufactures, have appeared to deserve them. In these associations, formed by persons whose situation entitles them to the honour of choosing the members, the spirit, as well as the science of commerce will revive. There its interests will be developed, inseparable from the interests of the state. The merchant will there learn to place, in preference to riches, the consideration which honours them, and before the enjoyments of a vain luxury, that wise economy which fixes the esteem of his fellow-citizens and the confidence of strangers. Deputies, chosen from the different chambers, will discuss, in the presence of government, the interests of commerce and manufactures, and the laws and regulations which circumstances may require. In our forces, by sea and land, instruction and the love of discipline are sedulously inculcated. Responsibility becomes more rigid in our military corps. An economical administration has succeeded to the dilapidating system of contracts. The soldier, better fed and better clothed, understands economy, and his savings, which he throws into the common stock, attach him to his standard as well as to his family. Every branch of our finances becomes more productive. The collection of direct contribution is less rigorous with regard to the contributors. In the year six it was reckoned that about fifty millions were in the hands of the collectors of taxes, and payments were three or four years in arrear. At this moment the sum in the hands of the collectors is not above three millions, and the contributions are paid even before they are due. All the rules which have been made, and all the plans of administration which have been formed, give a produce still increasing. The rules applicable to the registering of commercial transactions is productive to a degree, which attests the rapid movements of capital and the multiplicity of business which is transacted. In the midst of so many signs of prosperity, the excess of the direct contributions is still made a ground of complaint. The government has learnt from every one versed in the principles of taxation, that the surcharge consisted chiefly in the inequality of the mode in which the taxes were imposed. Measures have been taken, and are carring into effect, to ascertain the real inequalities which exist in the different departments. In the course of the year 12, regular and simultaneous operations will have ascertained what is the relation which ought to exist betwixt the contributions of the different departments, and what in each department is the just rate of the land tax. The moment that a certain result has been fixed, the government will give orders for those alterations which justice requires. But in the course of this year, and without waiting for those results, it will propose an important diminution in the land tax. Innovations are still proposed in our financial system; but every change is an evil, if it cannot be satisfactorily demonstrated that certain advantage would result from it. The government will seek from time and from discussions, weighed with all possible care, the maturity of these projects which inexperience often hazards; which they support by those past examples, the memory of which has been almost effaced from the public mind, and on the financial doctrines of a nation which, by unnatural and exaggerated efforts, has broke through every measure of public contribution and expenditure. With an increase of revenue which no one ventured to calculate, extraordinary circumstances have led to wants which it was impossible to foresee. It was necessary to reconquer two of our colonies, and to re-establish in all the power and the government of the mother country. It was necessary, by means sudden and too extended to admit of rigid economy, to procure subsistence for the capital and several of the departments. At least, however, the success of the government has been equal to its efforts, and after these vast exertions, resources remain henceforth to guarantee the capital against the return of want, and to disconcert the projects of monopoly. In the methodized statement of the minister of finance, will be found a general view of the annual contributions and the different branches of the public revenue, what was their amount during the last year, what prospect of amelioration existed; whether from the mode of administration or the progress of public prosperity, what have been in the different departments of the ministry, the elements of expenditure during the year ten; what are the sums still remaining to be paid for that and former years; what resources exist to cover them, whether arising from outstanding arrears of taxes, or from the extraordinary funds appropriated to pay off the debts contracted in these years, and which have not yet been exhausted; what is the actual amount of the public debt; what has been its increase, how it has been diminished by natural causes, and how its extinction has been effected by the sinking fund. In the account of the minister of the public treasury will be seen a statement of the receipts, the payments of the year ten; what belongs to the different branches of the revenue; what is chargeable in each year and on each part of the administration. The

united accounts of the two ministers will form a complete table of our financial situation. The government hold up with equal satisfaction the picture which it presents to its friends and its detractors, to citizens and to foreigners. After authorizing the foreseen expence of the year 12, and appropriating the necessary revenue, objects of the greatest interest will occupy the attention of the Legislative Body. It is necessary to introduce a change into our system of coinage. The custom-house duties must be reorganized, so as more effectually to check the progress of contraband trade. It is at length essential to give to France that civil code so long promised and so long expected. Above all, projects of laws have been formed under the observation of government, and matured in conferences where commissions from the Council of State and the Tribunate were animated only by the love of truth and regard for the public interest. The same sentiments, the same principles will guide the deliberation of the legislators, and secure to the republic the wisdom, and the impartiality of the laws which are adopted. On the continent, every thing offers us pledges of repose and tranquillity. The Italian Republic, since the proceedings at Lyons, has been daily strengthening itself by the more intimate union of the people of whom it is composed. The happy harmony among the authorities by which it is governed, its internal administration, its military force already give it the character and the attitude of a state long established; and if wisdom preserve them, they guarantee to it a destiny of uninterrupted prosperity. Liguria, placed under a mixed constitution, sees at its head, and in the bosom of its authorities, all those of its citizens, the most estimable for their virtues, by their illumination and their fortune. New shocks have convulsed the Helvetic Republic. The government owed its support to neighbours, whose repose was essential to the repose of France, and it will use every exertion to ensure the success of its mediation, and with it the happiness of a people whose position, whose habits, and whose interests, make it the necessary ally of France. Batavia successively takes possession of the colonies which the peace restored to her. She will ever remember that France must ever be her most useful friends or her most destructive. In Germany the last stipulations of the treaty of Luneville are carrying into effect. Prussia, Bavaria, all the secular princes who had possessions on the left bank of the Rhine, will obtain on the right bank suitable indemnities. The House of Austria finds in the bishopricks of Salzburgh, Aischtett, Trent, and Brixen, and the greatest part of Pau, more than it had lost in Tuscany. Thus, by the happy co-operation of France and Russia, all permanent interests are conciliated, and from the bosom of that tempest which seemed ready to overwhelm it, the Germanic empire, that empire so necessary to the equilibrium and the repose of Europe, rises more powerful, composed of elements more homogeneous, better combined and more adapted to the circumstances and opinions of the present age. A French ambassador is at Constantinople, charged with renewing and fortifying the ties which attach us to a power which seems to be threatened with destruction, but which it is our interest to sustain and to support the foundations by which it is upheld. The British forces are still in Alexandria and Malta. The government had a fair right of complaint, but it has received intelligence that the vessels which are to convey them to Europe are already in the Mediterranean. The government guarantees to the nation the peace of the continent, and it is permitted to entertain a hope of the continuance of maritime peace. This peace is the want, as well as the desire of all nations. For its preservation, the government will do every thing compatible with national honour, essentially connected with the strict execution of the treaties. But in England, two parties maintain a contest for power. One of those parties has concluded peace, and appears desirous of maintaining it. The other has taken an oath of eternal hatred to France. Hence that fluctuation of opinion and of counsels which prevail.—Hence that attitude, at the same time pacific and menacing. While this contest of parties continues, measures of precaution are what the government is called upon to adopt. Five hundred thousand men ought to be, and shall be ready to undertake its defence, and avenge its injuries. Strange necessity which miserable passions impose on two nations, whom interest and inclination mutually prompt to the cultivation of peace. Whatever success intrigues may experience in London, no other people will be involved in new combinations—the government says, with conscious pride, that England alone cannot maintain a struggle against France. But we have better hopes, and we believe that in the British cabinet, nothing will be listened to but the counsels of wisdom and the voice of humanity. Yes, doubtless, the peace will daily be more consolidated. The relation of the two governments will assume that character of good-will which is suitable to their mutual interests. A happy repose will bury the recollection of the long calamities of a disastrous war, and France and England, ran

dering their happiness reciprocal, will deserve the gratitude of the whole world.

The First Consul (Signed) BONAPARTE.
By order of the First Consul,
The Secretary of State, H. B. MARET.

Paris, 26 Brumaire, 10th Year,
(17th November, 1802).

No. 3.—*Translation.*—I forwarded to you, citizen, a series of questions, concerning which I am desirous of having your answers. You will have the goodness to place them opposite the questions on the same sheet of paper, doubled in two, similar to the one which I have the honour to send to you. I shall be obliged to you to send me this paper as soon as possible, without, however, suffering your too great haste to be prejudicial to your accuracy. If you are doubtful upon any point, you will have the goodness to mention it. You will probably find no difficulty in consulting with some well informed merchants or clerks in the custom-house, who you think may have it in their power to give you some positive information, and you will declare the sources from whence you have drawn that information. You will not consider this business as forming a part of your official correspondence. You must not number it, but you must content yourself with putting at the top of it, as in the projet which I enclose to you, *Private Correspondence.*

(Signed) CH. MAU. TALLEYRAND.

To Citizen Fauvelet, at Dublin.

No. 4.—*Translation—Private Correspondence.—Questions.*—1. What number of vessels have entered and cleared out of the ports within your district within each year from 1792 to 1801 inclusive? 2. What is their tonnage or their admeasurement in sea tons of 2000 4 P? 3. Under what flag do they navigate? 4. From whence they come? 5. Whither bound? 6. With what merchandize freighted? 7. What was the price of freight to the principal ports of Europe, each sea ton of 2000 4 P. S.? 8. What French productions are most in request in the market of the town where you reside, as well as of the other considerable towns in your district? 9. What is the merchandize which can be exported to France with greater advantage from the said markets than from any other? 10. What are the course of exchange, and the current prices of merchandize, from three months to three months from the year 1792 to 1801? 11. *You are required to furnish a plan of the ports of your district, with a specification of the soundings for mooring vessels.* 12. *If no plan of the ports can be procured, you are to point out with what wind vessels can come in and go out, and what is greatest draught of water with which vessels can enter therein deeply laden?* 13. What are principal commercial houses? If the heads of these houses are foreigners, you are to point out of what country they are; and in all cases you are to state with what countries they are principally connected, and what is their chief line of commerce. 14. What is the usual course of exchange? 15. Whether there is a public bank, and what is its organization? 16. Whether there are any insurance companies, public or private, and what are their customs and rules, and the prices of insurance, for European and long voyages? 17. In case there exists any other public establishment which relates to commerce, you are to give every possible detail concerning it, especially in whatever regards manufactures and fisheries. 18. You are to point out the relative conformity of weights and measures with those of France, ancient and modern, as soon as you shall have obtained practical and exact information on those points. 19. You are to add to all this the most extensive information, as well general as particular, which you may be able to obtain from authority, especially with regard to commerce, and particularly respecting false accounts of purchases and sales of different merchandizes, in order to ascertain the expences, rights, and local customs, in cases of purchases and sales. 20. Whether there are any fairs in your district; what species of traffic is carried on there, and to what amount?

No. 5.—*(Translation.)—From the Hamburgh Correspondenten of March 30, 1803.—The following article is inserted by desire.*

Paris, March 15.

For some months a war of newspapers and of the press has been kept up between France and England. This seemed merely the dying embers of an extinguished conflagration; the last consolation of a desperate party; the food of some low passions and a few hungry scribblers. The French government was far from attaching importance to such matters. Notwithstanding some difficulties in the complete execution of the treaty of Amiens, they still believed they might rely on the good faith of the British government, and directed their attention solely to the re-establishment of the colonies. Relying upon the sacredness of treaties, they securely dispersed the remains of the French naval force, which had been given a prey to the English fleet. In this situation, suddenly appeared a solemn message from the cabinet of St. James's, and informed all Europe that France was making considerable preparations in the ports of Holland and France; an address was voted by parliament, promising to the King of England such extraordinary means of defence as the security of the British empire

and the honour of the three crowns might require. From the sudden appearance of this message, people doubted whether it was the effect of treachery, of lunacy, or of weakness. Let any one cast his eye over the ports of France and Holland, where he will find only detached naval preparations destined for the colonies, and consisting only of one or two line of battle ships and a few frigates. On the other hand, let him look at the ports of England, filled with a formidable naval force; on such a review one could be tempted to believe that the message of the King of England was mere irony, if such a farce were not unworthy the majesty of a government. If one considers the influence of factions in so free a country, one might suppose that the King of England had only had the weakness to yield, if weakness were compatible with the first quality of a king. In short, no rational motives remain to which it can be ascribed, except bad faith—except a sworn enmity to the French nation—except perfidy, and the desire of openly breaking a solemn treaty, for the sake of advantages which will be maintained, and the sacrifice of which the honour of France and the faith of treaties forbid. When a man reads this message, he thinks himself transported to the times of those treaties which the Vandals made with the degenerate Romans, when force usurped the place of right, and when, with a hasty appeal to arms, they insulted the antagonist they meant to attack. In the present state of civilization, there is a respect which a great monarch, which a polished people owe to themselves, were that respect no more than to seek a plausible pretext for an unjust war. But in this instance every thing is precipitate, and repugnant to decency and to justice. An eternal war would succeed a dreadful contest; and the more unjust the attack, the more irreconcileable would be its animosity. Such a novelty will doubtless excite the disapprobation of Europe. While even the English, whose national pride had not entirely blinded them, sighed at this prospect, did the TIMES call the peace of Amiens an armistice, and in doing so, passed the severest satire on the government it defended; and the rapid fall of the national funds is the first prelude to the misfortunes which may follow as the revenge due for the wound given to all social rights. The French are less intimidated than irritated by the threats of England. They have neither been dispirited by their reverses, nor elated by their victories; in a war to which there appeared no termination, they saw all Europe confederated against them. Their constancy, their courage, and the prompt activity of their government, brought it to a conclusion. *This* war would have a different object; France would contend for the liberty of the states of Europe, and the sacredness of their treaties; and if the English government be determined to make it a national war, perhaps her boasted formidable naval strength would not be sufficient to decide the result, and to secure the victory. The French, strong in the justice of their cause, and in the confidence they repose in their government, do not dread the new expences and new sacrifices which such a war might render necessary. Their system of finance is more simple and less artificial than that of London, and so much the more solid. It all lies in their soil and in their courage. On the first news of the English message, all eyes were turned to the cabinet of the Thuilleries. As most trifling motions received a character of importance, its most unpremeditated words were eagerly caught up. Every one impatiently expected the assembly for the presentation of foreigners, which Madame Buonaparté holds once a month. Every one was prepared to draw some inferences from it. It was as splendid as usual. The First Consul made his appearance, and said on his entrance, to the English ambassador, who was standing beside M. Markoff, "We have been at war for twelve years. The King of England says that France is making immense naval preparations. He has been led into an error. In the French ports there are no preparations of any magnitude. The whole fleet is gone to St. Domingo and the colonies. With regard to the ports of Holland, to which the message likewise alludes, there are only the preparations for the expedition under General Victor, and all Europe knows its destination is for Louisiana. The King says farther, that between the cabinets of Paris and London differences continue. I know of none. It is true that England ought to have evacuated Malta, and Malta is not evacuated; and as his Britannic Majesty has bound himself by the most solemn treaty ever entered into, it is impossible to doubt of the speedy evacuation of that island; and," added the First Consul, "those who would attempt to frighten the French people should know, that it is possible to kill, but not to intimidate them." During the course of the evening, when the First Consul happened to be near M. Markoff, he said to him, half aloud, "that the British ministry wished to keep Malta for five years more. Such a proposal was insulting, and no treaties should be entered into which it was not resolved to observe." At the conclusion of the assembly, when the English ambassador was about to retire, the First Consul said to him, "Madame the Duchess of Dorset has spent the unpleasant

part of the year at Paris. It is my sincere wish that she may also spend the agreeable season. But if it should happen that we really must go to war, the responsibility is exclusively with those who deny the validity of their own contracts, since they refuse to observe treaties which they had concluded." These words of the First Consul require no comment. They explain completely his present opinions, his past conduct, and his resolution for the future. It is sufficient to compare them with the tergiversations, the duplicity, the evasions, and the message, of the English government, in order to be enabled to decide on the justice of the dispute.

Corfu, January 2, 1803.

No. 7.—My Lord, In my letter of the 10th ultimo, your lordship will perceive that I inserted the arrival of the Cornelia French frigate at Zante, and that Horatio Sebastiani harangued the people of that island. At that time I was not in possession of his exact oration, but since then the delegate of Zante transmitted his speech to the senate of Corfu; a copy of which I beg leave to submit to your lordship's attention. Monsieur Romieu, the French minister here, communicated to the Prince of the Senate, that the First Consul of the French Republic had taken under his protection the Catholic, Apostolic, and Roman churches of this Republic; and on the 19th December wrote to the Vicar General of Corfu to inform him of the same; a copy of which permit me to inclose for your perusal. From the proceedings of the French commissary here, and those of the other islands, together with the disposition of the natives, I am afraid that this Republic will be a constant theatre of French intrigue. The aforesaid commissaries occasion Count Mocenigo and this government an infinite deal of trouble.

I have the honour to be, &c.

(Signed) SPIRIDION FORESTI.

Right Hon. Lord Hawkesbury, &c.

(First Inclosure referred to in No. 7.)—Translation.—Horace Sebastiani, Chief of Brigade of a Regiment of Dragoons, and Envoy of the First Consul in the Levant. To his Excellency the Delegate of Zante.—Sir, The First Consul Buonaparté has charged me to visit these islands which compose your Republic, and to assure the inhabitants that he takes a lively interest in their prosperity. I know that the difference of political opinions divides this rising Republic into various parties, and that without the wise measures taken by your government, its tranquillity will be destroyed. I could wish you to make known to your administrators and fellow citizens how much the First Consul wishes to see a stop put to those intestine divisions which afflict these islands. Your political independency has been guaranteed by France, Russia, and the Sublime Porte. These powerful nations, united together by the bonds of the truest friendship, are occupied, in concert with your most enlightened and most virtuous fellow citizens, to give you a form of government suitable to your situation and the genius of your inhabitants. Wait with confidence and moderation the result of these important operations, and be assured that you will see the end of your ills and the beginning of your prosperity. All exaggerations of political opinions are inimical to the general prosperity: absolute democracy, always tempestuous, sacrifices to vain chimeras the security, the property, civil liberty, and, in short, all that constitutes the happiness of a state: aristocracy which is not moderated is always tyrannical, and the elevation of a small number of families, is preferred to talents and to virtue. In order that a government may be prosperous, it is necessary that it should have in its formation a happy combination of the advantages of different forms of government; the power and promptitude of monarchy, the vigilance and intelligence of aristocracy, and the vigour and elevation of democracy; that the citizens may find the security enjoyed under the first, the tranquillity of the second, and the equality of rights fixed by the laws which are found in the third. Recollect that the man who forms a part of society only preserves the liberty of doing that which is not prejudicial to the rights of others; and that equality only consists in the exact execution of the laws, and in the protection which they afford to every member of the political body. As the quarantine prevents communication, I beg you will communicate this my letter to all the authorities, and also to the principal inhabitants. I avail myself of this opportunity to assure you of the sentiments of esteem and consideration which I entertain for your person.

(Second Inclosure referred to in No. 7.)

Translation.

Liberty. *Equality.*

Corfu, 29th Frimaire, 11th Year of the French Republic.

The Adjutant Commandant Romieu, Commissary General of Commercial Relations, and Chargé d'Affaires to the Republic of the Seven Islands, to the Vicar General of the Catholic, Apostolic, and Roman Churches at Corfu.—Mr. Vicar General, I hasten to inform you, with the greatest joy, that I have just received the express orders of my government to place the church of the Roman religion in the Republic of the Seven Islands under its special protection. I make this communication to the Prince of the Senate. This proof of the

good-will of the French towards this church, will be a powerful motive, Mr. Vicar General, for addressing, through the faithful in your communion, the most ardent vows to Heaven for the prosperity of the French Republic, and the preservation of the lives of its Consuls, in the same way as the Roman churches practise in the French Republic. With the most distinguished consideration, Mr. Vicar General, I have the honour to salute you. (Signed) A. ROMIEUX.

A true copy,
Spiridion Foresti.

ADDITIONAL PAPERS ON SUBJECTS CONNECTED WITH THE NEGOTIATION WITH FRANCE: LAID BEFORE PARLIAMENT AT DIFFERENT TIMES.

Papers, No. 1 to 22, inclusive: Ordered to be printed, May 20, 1803.

No. 1.—*Extract of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, June 17th,* 1802.—In your lordship's dispatch, No. 3 of this year, to Mr. Jackson, you gave instructions to that minister to endeavour to procure the release of the British sloop Fame, which had been seized by the revenue officers at Cherbourg, in consequence of her having entered that port by stress of weather. The master of that vessel, and a person deputed by the proprietors at Jersey, arrived lately at Paris for the purpose of defending the suit, which has been carrying on to procure her liberation. I had, in consequence of their application to me, reminded the French minister verbally of this business on two or three occasions: but those remonstrances having produced no effect, and sentence being about to be pronounced on the last appeal in the cause, I sent him a representation in writing, of which your lordship will find a copy inclosed; and in which I considered that it might be serviceable to insert some observations upon the law of the French Republic, which gave occasion to the seizure, upon the manner of its execution, and upon the propriety of its being repealed and modified now that the two countries were happily at peace.

No. 2.—*Extract of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, June 23d,* 1802.—I have the honour to transmit to your lordship inclosed, copy of an answer, which I received two days since from the French minister, to the note which I delivered to him on the 25th May, communicating to him that his Majesty had, in conformity to the 14th article of the definitive treaty of peace, taken off the sequestrations upon the property of French citizens in his dominions, and expressing that he did not doubt that the French government would be equally ready to render the same justice to such of his Majesty's subjects as have property in France.

No. 3.—*Extract of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, July 5th,* 1802.—I transmit inclosed copy of an answer which the French minister has given to the representation which I lately delivered to him, respecting the seizure of the British sloop Fame packet, at Cherbourg.

No. 4.—*Extract of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, Aug. 4th,* 1802.—I am sorry to have learnt by an answer, which I have received from M. Talleyrand, and of which I transmit a copy inclosed, that the representation which I made to that minister (inclosed in my No. 31) on the subject of the seizure at Cherbourg of the British sloop Fame Packet, has failed in its effect, either of procuring the release of that vessel, or of drawing forth some favourable explanation in regard to the law which gave occasion to her detention.

No. 5.—*Copy of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, Sept. 20,* 1802.—My Lord, I received, the evening before last, by the ordinary post, the honour of your lordship's separate letter of the 13th of this month, transmitting to me copy of one from Messrs. Houtham and Moir, on the subject of the seizure, in a French port, of the British brig Jennies, William Muckle, master: and directing me to take the necessary steps for obtaining redress for the owners of the vessel and cargo. I have lost no time in representing this case to the French government, as your lordship will see by the copy which I have the honour to transmit, inclosed, of a letter which I have addressed on the subject to M. Talleyrand; but I am sorry to observe, that there can be little hopes of any redress being obtained in this instance, since none has been produced by the repeated remonstrances which were made in the still stronger case of the vessel (the Fame Packet) belonging to Jersey, which was only forced into a French port by stress of weather; whereas the ship now in question came designedly to the port of Charante with prohibited goods aboard, contrary to the law of the republic, (which unfortunately

still continues in force) confiscating every vessel and cargo where British manufactures shall be found. Your lordship will perceive, that I have availed myself of this opportunity to recall to the French minister the observations which I made to him, on a former occasion, upon the effects, so prejudicial to the British trade, and to a friendly intercourse between the two countries, which must necessarily arise from the rigorous execution of the law in question. I have the honour to be, &c. ANT. MERRY.

Rt. Hon. Lord Hawkesbury, &c.

No. 6.—*Extract of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, Oct.* 18, 1802.—I inclose copy of an answer, which I have received from the French minister, to the representation which I made to him on the 27th of last month, on the subject of the capture of the British ship Porcher, by the French privateer the Bellona; in which he states, that the necessary orders will be given for justice to be done to the proprietors of that ship. I at the same time forward herewith a list of passports which I have granted to persons going to his Majesty's dominions, between the 2d and 15th of October.

No. 7.—*Copy of a dispatch from Lord Hawkesbury to Mr. Merry, dated Downing-street, May* 20, 1802.—Sir, Various reports having been received in this country, of strict prohibitions being inforced with respect to the admission of British commodities and manufactures into France, and of very rigorous restrictions being imposed on British vessels entering the ports of that country; I have to signify to you his Majesty's pleasure, that you transmit to me, without delay, the most detailed and accurate statement which you can procure on those points; and that you take an early opportunity to impress upon the French ministers, the necessity of some understanding being established between his Majesty's government and that of France, on the subject of the commercial intercourse between the two countries. As it is probable that you may be uncertain, as to the course that you should pursue in supporting claims, which subjects of his Majesty may bring forward for the restitution of property which they possessed in France previously to the war; I have to signify to you the King's pleasure, that you acquaint the French ministers, that his Majesty has, in conformity to the 14th article of the definitive treaty of peace, taken off the sequestrations upon the property of French citizens in his dominions; and that therefore his Majesty's government doubt not that the French government will be equally ready to render the same justice to such of his Majesty's subjects as have property in France. I am, &c.

HAWKESBURY.

Anthony Merry, Esq. &c.

No. 8.—*Copy of a note from Mr. Merry to M. Talleyrand, dated Paris, May* 24, 1802. —*In Mr. Merry's No.* 18.—*Note.*—Le sousigné ministre plenipotentiaire de sa Majesté Britannique a reçu les ordres du roi de communiquer au citoyen Talleyrand, ministre des relations extérieures de la Republique Françoise que conformement à l'article 14 du traité definitif de paix, sa Majesté a fait lever les sequestres qui avoient été mis pendant la guerre sur les propriétés de tote espèce appartenantes aux citoyens François dans ses etats. Sa Majesté ne doute donc pas que le gouvernement de la République Françoise ne soit également prompt à rendre la même justice aux sujets de sa Majesté qui ont des propriétés en France. Il est necessaire que le sousigné ait l'honneur d'observer dans cette occasion au citoyen ministre que plusieurs sujets du roi ont été mis sur la liste des emigrés François, si cette circonstance peut servir d'obstacle a ce que ces individus rentrent de suite dans leurs propriétés, le sousigné ose se flatter que le gouvernement François ému des principes de justice qui le gouvernent, pourra juger apropos d'adopter une mesure générale qui leveroit sur le champ cette difficulté. Le sousigné a l'honneur, &c.

ANTHONY MERRY.

Au Citoyen Talleyrand.

No. 9.—*Copy of a note from Mr. Merry to M. Talleyrand, dated Paris, June* 15, 1802.— Citoyen Ministre, Mon predecesseur Mons. Jackson, a eu l'honneur de vous adresser une representation au mois de Janvier dernier, par ordre du gouvernement Britannique, au sujet de la detention au port de Cherbourg du Batiment Anglois nommé "Fame packet," Capitaine de Gruchy; et moi, citoyen ministre, j'ai eu aussi l'honneur de vous rappeller de bouche cet objet, vous informant en même tems que le tribunal de cassation alloit prononcer la dessus, attendu que le gouvernement François n'ayant pas interposé son autorité pour relacher le batiment, le capitaine s'est vu dans la necessité de pourvoir à sa defense par la voie ordinaire de la justice. L'apperçu, citoyen ministre, que j'ai l'honneur de vous transmettre ci joint et que m'a remis le Capitaine de Gruchy lui même qui se trouve depuis quelques jours à Paris, expose les circonstances principales de cette affaire dans son etat actuel. Il en resulte que le batiment en question, forcé par le mauvais tems de chercher un abris dans la rade de Cherbourg, y a été detenu et ensuite confisqué par une prèmière sentence, par l'effet

d'une loi, passée en tems de guerre et au moment de sa plus grande rigueur, qui déclare confiscable tout navire au dessous de cent tonneaux qui s'approcheroit des côtes de France à la distance de quatre lieues avec des marchandises prohibées à son bord. Prohibition dans laquelle etoient et sont encore comprises toutes les marchandises Anglaises. Qu'il me soit permis d'observer dans ce lieu que, vû la proximité des côtes d'Angleterre à celle de la France, et la necessité ou les batimens Anglois doivent se trouver continuellement d'approcher de celles-ci, la loi susdite, si elle doit subsister et être executé, aura immanquablement l'effet de produire des contestations journalieres entre les deux gouvernemens. Pour ce qui est du cas dont il s'agit maintenant, j'ai appris citoyen ministre par les procédures qui ont eu lieu qu'il appartient à la douane de décider si la relache d'un batiment sur les côtes de France a été forcée ou non, et qu'elle a à son profit la moitié des saisies qui se feroient d'où il resulte que la douane dans des cas pareils est en même tems juge et partie. Tout parait prouver que la relache du Fame packet dans la rade de Cherbourg a été forcée: mais d'après les circonstances de la loi, et de la maniere de son execution, que je viens d'avoir l'honneur de vous exposer, il ne peut rester aux proprietaires du batiment et de la cargaison aucune esperance de les sauver dans le dernier appel qu'ils viennent de faire au tribunal de cassation, qui va prononcer incessamment sa sentence, a moins que le gouvernement François ne juge àpropos d'interposer son autorité et d'appeller à lui même la connoissance de cette affaire. Les sentimens de justice qui guident le Premier Consul, ainsi que les ministres de la Republique Françoise, doivent m'inspirer une pleine confiance d'obtenir de leur part l'attention que j'osé interpeller dans cette occasion. Leur sagesse et leur bienveillance leur dicteront jusqu'où il pourra convenir de revoquer, ou de modifier, en tems de paix, une loi emanée d'un etat de guerre, et qui doit necessairement causer des inconveniences les plus grands au commerce Anglois. J'ai l'honneur, &c. A. MERRY.

Au Citoyen Talleyrand, &c.

No. 10.—*Copy of a note from M. Talleyrand to Mr. Merry, dated Paris, le 29 Prairial, An dix.—In Mr. Merry's No.* 34.—Monsieur, J'ai reçu la note que vous m'avez fait l'honneur de m'addresser le $\frac{\text{5 Prairial, An 10}}{\text{25 Mai, 1802}}$, concernant la levée des séquestres apposés sur les propriétés des sujets de sa Majesté Britque et l'application qui a été faite a plusieurs d'entre eux de la legislation sur l'emigration. Je me suis impressé d'en donner communication au ministre des finances en l'invitant à appeler l'attention du gouvernement sur l'objet de votre demande. J'aurai l'honneur de vous informer de la décision qui aura été prise à ce sujet aussitôt qu'elle me sera connue. Recevez, Monsieur, l'assurance de ma parfaite consideration. CH. MAU. TALLEYRAND.

à Monsieur Merry, &c.

No. 11.—*M. Talleyrand to Mr. Merry, dated Paris, le* 12 *Messidor, An dix.*—Monsieur, J'ai l'honneur de vous informer que je viens de réiterer au ministre des finances l'invitation que je lui avois dejà faite en Pluviose dernier, d'aprés la recommendation de Mons. Jackson, de se faire rendre compte de la confiscation du batiment Anglois Fame packet, dans la rade de Cherbourg, et de prendre les ordres du Premier Consul relativement à l'application existante de la loi du 4 Germinal, an deux. Je l'ai prié de me faire connôitre la decision prise-aussitôt qu' elle m'aura été envoyée, je m'empresserai de vous en faire part. Agréez, Monsieur, l'assurance de ma haute consideration.

CH. MAU. TALLEYRAND.

à M. Merry, &c.

No. 12.—*Copy of a note from M. Talleyrand to Mr. Merry, dated Paris,* 12 *Thermidor, An* 10.—*In Mr. Merry's No.* 49.—Monsieur, J'ai l'honneur de vous prévenir que le ministre des finances, en réponse à la lettre par laquelle je lui ai donné communication de votre dernière note concernant l'affaire du Fame packet, Capitaine Gruchy, vient de me mander qu'il a fait son rapport au Premier Consul sur la sasie de ce batiment dont il parait recounu que le cargaison était composée de marchandises prohibées, et que d'après son etat actuel le Premier Consul a decidé qu'il fallait laisser le cours à la justice. Recevez, Monsieur, l'assurance de ma haute consideration. CH. MAU. TALLEYRAND.

à Monsieur Merry, &c.

No. 13.—*Apperçu fidèle de l'Affaire du Capitaine de Gauchy de Jersey contre la Régie des Douânes de Cherbourg.*—Le 19 de Decembre dernier le Capitaine de Geuchy commandant le batiment Fame packet, met à la voile du port de Southampton en Angleterre, pour se rendre à Jersey avec un chargement consistant en farine, orge grille pour les troupes de la garnison, et en diverses autres marchandises pour les habitans de l'Isle. Il avoit pris à son bord 25 passagers, qui etoient des femmes des enfans, des negocians, et des officiers venant joindre leur regiment entre autres un lieutenant de la marine royale. En quittant le port de Southampton, il est obligé de donnez un acquit à caution comme sa gargaison doit être dechargée dans un port Anglois. Dans les premieres moments sa navigation est heureuse, mais le 20 Decembre le vent passe tout à coup au S. S. W.

grand frais, il souffle avec une force effrayante et des le soir même il est battu pa la plus violante tempête. Craignant alors de passer encore une nuit sur la mer, il se decide à entrer dans le port le plus voisin. Comme il se trove dans une situation à gagner le port de Cherbourg il fait route pour cet endroit pensant que les préliminaries entre l'Angleterre et la France lui permettoient d'y entrer en toute sureté, d'autant plus que plusieurs de ses passagers étoient fort malades il ne pouvoit leur donner aucun secours. Il arrive sur la rade Cherbourg le soir du 20 Decembre, etant à l'Ancre, le capitaine va à terre pour faire son rapport à la douâne; il n'y est pas admis, sous pretexte qu'il na pas un courtier, il en trouve un et se rend de nouveau à la douâine, on refuse sa declara ion parce que dit-on la loi du 4 Germinal an 2 defend à tous navies du dessous de cent tonneaux d'approcher des côtes de France à la distance de quatre lieües avec des marchandises d'Angloises. Le capitaine est donc cité par la regie de Cherbourg devant le tribunal de valogne, et les juges prononçant contre lui souivant toute la rigueur d'une loi portée dans des tems de guerre et de la calamité. Le capitaine appelle de ce jugement au tribunal de coutances qui le condamne encore, mais informe la disposition du tribunal de première instance qui l'avoit condamné à six mois d'imprisonnement, l'affaire est actuellement devant le tribunal de cassation et va être jugée sans delai. La loi citée entraine les plus funestes consequences pour les navires qui font le commerce d'Angleterre, aux Isles de Jersey puisque tous ces navires sont au dessous de cent tonneaux, et qu'il leur est impossible de ne pas passer dans le rayon de quatre lieues, le rât d'Auvigny, se trouvant dans ce rayon, cequi expose à des grands inconveniens la garnison et les habitans des Isles, qui sont approvisionnés par ces navires. La douâne de Cherbourg est tellement convaincue elle même que le navire étoit destiné pour Jersey qu'elle vient de renvoyer à notre Gouverneur Monsieur le Général Gordon, un Paquet à son addresse qui se trouvoit dans ce navire.

31 *Juillet* 1802.

No. 14.—*Copy of a Letter from Mr. Merry to M. Talleyrand, dated Paris, 20th September* 1802.—*In Mr. Merry's separate of 20th September* 1802.—Citoyen Ministre, C'est avec peine que je me trouve de nouveau dans le cas d'avoir à réclamer contre les effets de la loi de la Republique Française qui déclare confiscable tout bâtiment qui entre dans un port de France avec des marchandises prohibées—(prohibition qui s'étend encore à toutes celles qui sont de manufacture Anglaise)—quoiqu' elles soient destinées pour un autre port. Le brig Anglais nommé *Jennies*, capitaine Guillaume Muckle, fut fretté en Angleterre pour porter du charbon de terre au port de Charente en France, ainsi qu'une petite quantité de marchandises Anglaises au port de Cadiz en Espagne d'où il devait rapporter un chargement de vin. Arrivée à Rochefort le Capitaine fit sa déclaration à la douane de tout ce quil avait à son bord, tout pour le port de Charente que pour celui de Cadiz, et il a offert de déposer dans la douane, jusqu'à son départ, les marchandises qui étaient destinées pour l'Espagne, en cas que cette précaution fut jugé necessaire. Mais malgré ce procédé franc et candide de sa part, qui prouve evidemment qu'il n'avait aucun dessein de faire la contrabande, et que les effêts prohibés étaient réellement destinés pour un pays étranger, les officiers de la douane ce sont refusés à admittre sa déclaration et ont saisi le bâtiment en virtu de la loi susmentionnée.—Les armateurs et les proprietaires du chargement s'en étant plaint au gouvernement Anglais, je viens, citoyen ministre de recevoir les ordres de ma cour, de vous répresenter cette affaire, ainsi que d'avoir l'honneur de solicitor auprès de vous le prompt elargissement du bâtiment et de la cargaison, auquel l'on espère que les sentimens de justice et d'equité qui guident le gourvenement Français pourront la décider à se préter vû que l'innocence du capitaine est prouvée par la circonstance de l'offre qu'il a fait de déposer les marchandises prohibées, á la douane jusqu'au moment de son départ. Au reste je prendrai la liberté, citoyen ministre, de vous rappeller dans cette occasion les observations que j'ai déjà eu l'honneur de vous exposer dans une autre sur les effêts prejudiciables qui doivent nécessairement resulter au commerce Anglais, ainsi qu'à la communication amicale entre les deux païs, de la continuation en tems de paix d'une loi qui a amanée d'un etat de guerre, et encore dans un moment de sa plus grande fureur. J'ai l'honneur, citoyen ministre, de vous renouveller les assurences de ma haute considération.

A. MERRY.

Au Citoyen Talleyrand, &c. &c.

No. 15.—*Copy of a letter from Mr. Merry to M. Talleyrand, dated Paris, 14th October,* 1802.—*In Mr. Merry's No.* 80.—Citoyen Ministre, Le batiment Anglais nommé Nancy, Capitaine Allen Richardson, est parti des ports de Angleterre pour Rotterdam en Holland, avec une cargaison composée de différentes marchandises étrangères que avaient été prises sur des batimens ennemis pendant la guerre et vendues en Angleterre sous caution que les acheteurs ont donné de les exporter. Ce batiment se trouvant déjà sur la côte de Hollande y a essuyé un gros tems

qui est survenu des avaries, et entre autres celle de la perte de son beaupré, ce qui lui a obligé de se refugier au port de Flessingue. Il y est entré vers le milieu du mois Juillet de cette année, quand un détachement des troupes Françaises, commandé par des officiers, s'est rendu abord et s'est emparé du vaisseau et de la cargaison, sans que le capitaine ait pu savoir la cause de cette saisie. Le vaisseau y est detenu encore. Les circonstances de cet evènement, si elles sont en effet telles que le capitaine et les proprietaires les ont réprésentées au gouvernement Britannique, semblent lui donner une qualité hostile de la part des officiers Français qui paraissent avoir voulu faire prise du batiment au lieu de lui accorder l'asile, l'hospitalité et le sécours, auxquels il pouvait s'attendre dans le port d'une puissance maintenant en paix avec l'Angleterre. Dans le cas actuel il ne s'agit pas de marchandises Anglaises (si le capitaine aurait tenté de les introduire par contrebande—ce donc il n'a pas même été accusé)—puisque toutes celles qui si trouvent abord du Nancy sont d'autres pais, qui n'auraient pas pu être importées en Angleterre que comme prises sur l'ennemi, et quoiquélles eussent été du cru, ou des manufactures d'Angleterre l'arrivée forcée du batiment semblerait les exempter de l'application de cette loi de la Republique Française qui condame encore toute production du sol, ou de l'industrie de la Grande Bretagne. C'est d'apres les ordres de ma cour, citoyen ministre, que j'ai l'honneur de vous representer cette affaire, et de réclamer auprès de vous non seulement le prompt elargissement du susdit bâtiment, avec sa cargaison, mais qu'il soit fait justice aux propriétaires pour les pertes qu'ils ont essuyées par la detention de leurs effèts. Le gouvernement Anglais ne doute aucunement que les sentiments d'equité qui guident celui de la république ne le disposent à acceuiller favorablement ces démandes, pourvu qu'il n'y ait aucun crime constaté contre le capitaine. Je saisis avec empressement, citoyen ministre, cette occasion pour avoir l'honneur de vous renouveller les assurances de ma haute consideration. A. MERRY.

Au Citoyen Talleyrand, &c.

No. 16.—*Copy of a Note from Mr. Merry to M. Talleyrand, dated Paris, 22d October, 1802.—In Mr. Merry's separate dispatch, October 25th, 1802.*—Citoyen Ministre, Il vient de se presenter un nouveau cas où un batiment Anglois a sente d'une maniere bien frappante les effets de la loi de la République Françoise qui confisque tout navire abord duquel l'on trouveroit la moindre chose qui fut de fabrique Angloise. Le brig George, commandé par le Sieur Jean Newham, est entré dans le port de Charente au commencement d'Aout de cette année pour prendre un chargement d'eau de vie, destiné pour Londres, n'ayant abord autre chose que son l'est, et les provisions necessaires pour le voyages. Les douanniers n'ont donc pas pu trouver autre chose de quoi se saisir que des ustensiles de la chambre du capitaine (qu'il ne croyoit pas devoir declarer) tels que des assiettes de faience, quelques verres et quelques couteaux et Fourchettes d'auir, dont la quantité de chaque espèce pour ne pas en faire le détail, peut tres facilement se mesurer par le prix de 4 livres sterlings, ou 96 livres de France, que le tout ensemble avoit couté au capitaine, y compris deux lampes qui éclairoient sa chambre. Voila, citoyen ministre, ce qui a suffi pour ce sujet du Roi ait subi toutes les rigueurs de la loi du 10 Brúmaire, an cinq de la Republique, qui porte confiscation du batiment ainsi que d'autres peines. Et voici un cas où l'Angleterre auroit pris tout un changement des productions de la France, tandis que cette puissance ne permet pas à un capitain Anglois qui vient chercher ces productions de se servir abord de son vaisseau des ustensiles de son propre pays. Falloit-il donc, que pour pouvoir entrer dans un port de France il fit venir d'avance de ce pays des assiettes, des verres, des couteaux et des fourchettes? ou si cela seroit impossible voudroit on l'obliger a manger sur les planches de son vaisseau et avec ses doigts? Ceci paroit incroyable. Il est pourtant verifié par le fait. Puisque, citoyen ministre, les representations que j'ai deja l'honneur de vous adresser sur des cas a peu pres semblables n'ont produit aucun effet, je ne pourrois pas m'attendre a une meilleure reussite dans une demande que je ferois dans le cas actuel: mais vous sentirez, citoyen ministre, combien il est de mon devoir de vous le faire connoitre. J'ai l'honneur, &c. A. MERRY.

Citoyen Talleyrand, &c.

No. 17:—*Copy of a dispatch from Mr. Merry to Lord Hawkesbury, dated Paris, October 25th, 1802.—Separate.*—My Lord, John Newham, the Master of the British brig George, delivered to me a report last week of that vessel, which had been freighted to come to Charante in ballast, to convey from thence a cargo of brandy from England, having been seized at that port by the French custom-house officers, because the different articles which they found in the master's cabin for use of his table, such as plates, knives, forks, and glasses, (the cost of which, when new, he declared to have been altogether 4*l.*) were of British manufacture, and because he had not made a declaration of them at the custom-house. He acquainted me moreover that his vessel had been con

demned, in consequence of that seizure, by two sentences of the French tribunals in the department where Charente is situated. I thought it my duty, my lord, to lose no time in stating so violent a proceeding to the French minister; and I delivered to him accordingly, the day before yesterday, the representation, of which the inclosed is a copy, taking that opportunity to remind M. Talleyrand of the former remonstrances which I had delivered to him on subjects of a similar nature, and renewing verbally on this occasion, the observations which I had then had the honour of expressing to him in writing, upon the continued rigorous execution, in time of peace, of the French law which had taken place at a moment of the greatest heat of the late war. The minister confined his answer to me, to an assurance that he would cause an enquiry to be made immediately into the case, which I had now laid before him. I have the honour to be, &c.

ANTH. MERRY.

The Right Hon. Lord Hawkesbury, &c.

No. 18.—*Copy of a dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, 10th May, 1803.—Separate.*—My Lord, With regard to the numerous memorials and representations, which I have had to make to this government, in behalf of those of his Majesty's subjects, who have suffered by the detention and confiscation of their vessels and property in the ports of France, I have only to observe, that they have, with the exception of one or two instances, remained unanswered: I trust therefore no blame can attach to me, if my endeavours to carry into effect your lordship's instructions on this head have not been more effectual. I have the honour to be, &c. WHITWORTH.

Right Hon. Lord Hawkesbury, &c.

No. 19.—*Copy of an Instruction from Lord Hobart to Lieut. General F. Dundas, Lieut. Governor and Commander of his Majesty's troops at the Cape of Good Hope, dated the 17th October, 1802; dated Downing-street, Oct. 17, 1802.*

Sir, Circumstances having recently occurred, which render it adviseable to delay the restitution of the Cape of Good Hope to the Batavian government, I am to signify to you his Majesty's commands, that you should retain possession thereof until further orders. It is, however, extremely desireable, that, in the execution of this instruction, every circumstance should be avoided which may be calculated to excite jealousy in the Batavian government, or to create an apprehension of its arising from an hostile motive.—N. B. *The above instruction received at the Cape on the 31st December, 1802; and acknowledged in General Dundas's dispatch dispatch of the 3d January, received in Downing-street on the 18th March.*

No. 20.—*Copy of Instructions from the Right Hon. Lord Hobart, one of his Majesty's Principal Secretaries of State, &c. to Lieut. Gen. Francis Dundas, Lieut. Governor and Commander of his Majesty's Forces at the Cape of Good Hope; dated Downing-street, the 16th November, 1802.*—Sir, I have the honour to acquaint you, that, notwithstanding the instructions which, by the King's commands, I communicated to you on the 17th ult. it is his Majesty's pleasure, in the event of the East India ships originally destined for the coveyance of the troops, being at the Cape when you receive this dispatch, that you do give directions for their immediate embarkation, with orders for their departure for India without delay. Under an impression, however, of the probability of those ships having sailed without the troops, I am to acquaint you, that other ships have been substituted for that service; but that I am apprehensive it will be at least one month before they can leave this country. I am also to signify to you his Majesty's pleasure, that you do proceed forthwith to the execution of your former instructions for the complete evacuation of the Cape. The utmost cordiality subsisting between his Majesty's government and that of the Batavian Republic, you will observe the most conciliatory conduct in all your proceedings with the officers belonging to that republic. I have the honour to be, &c. HOBART.

To Lieut. General Dundas, &c.

No. 21.—*Copy of a Letter from Mr. R. King to Lord Hawkesbury, dated London, May 15th, 1803.*—My Lord, In the present critical posture of affairs, I lose no time in communicating to your lordship, for his Majesty's information, that a treaty was signed at Paris on the 30th day of April past, by the plenipotentiaries of America and France; by which the complete sovereignty of the town and territory of New Orleans, as well as all Louisiana, as the same was heretofore possessed by Spain, has been acquired by the United States of America. In drawing up this treaty, care has been taken so to frame the same, as not to infringe any right of Great Britain in the navigation of the river Mississippi. I flatter myself that this communication will be received with satisfaction, and regarded as a new proof of the disposition of the United States to observe towards his Majesty a spirit of amity and confidence, important at all times, and more especially so in present circumstances, to the harmony and mutual prosperity of the two countries. I avail myself of this occasion to renew to your lordship the assurance of di-

tinguished consideration, with which I have the honour to be, &c. RUFUS KING.

Right Hon. Lord Hawkesbury, &c.

No. 22.—*Copy of a Letter from Lord Hawkesbury to Mr. King, dated Downing-street, May 19th, 1803.*—Sir, Having laid before the King your letter of the 15th of this month, in which you inform me, that a treaty was signed at Paris on the 30th of last month, by the plenipotentiaries of America and France, by which the complete sovereignty of the town and territory of New Orleans, as well as of all Louisiana, has been acquired by the United States; I have received his Majesty's commands to express to you the pleasure with which his Majesty has received this intelligence, and to add, that his Majesty regards the care which has been taken so to frame this treaty as not to infringe any right of Great Britain in the navigation of the Mississippi, as the most satisfactory evidence of a disposition on the part of the government of the United States, correspondent to that which his Majesty entertains, to promote and improve that harmony and good understanding which so happily subsist between the two countries, and which are so conducive to their mutual benefit. I have it also in command to assure you, Sir, that the sentiments which you have expressed in making this communication, are considered by his Majesty's government as an additional proof of that cordiality and confidence which you have uniformly manifested in the whole course of your public mission, and which have so justly entitled you to the esteem and regard of his Majesty's government. I desire you to accept the assurances of the distinguished consideration with which I have the honour to be, &c. HAWKESBURY.

Rufus King, Esq. &c.

Presented May 20, 1803.—*(Referred to in Mr. Foresti's letter to Lord Hawkesbury of Jan.* 2, 1803.)—A French frigate commanded by an officer of that nation, whose name is not known, arrived this day in our Roads. On board this vessel was embarked Citizen Horace Sebastiani, calling himself envoy from the First Consul to these parts. On the same afternoon he attempted to land with the officers, but as they had arrived from Egypt, four guards of health were placed over them. He demanded a conference with the government, assuring our delegate regent, that he was commissioned by the First Consul Bonaparte, to communicate to all orders of persons in the Seven Islands, the attachment and respect of the First Consul, his desire of seeing all the people happy and contented, whom he would endeavour to inspire with veneration for the laws, respect for the existing government, and obedience to its commands. In this designing manner he extorted a consent from the delegate, that a few merchants and noblemen should be invited to the palace; which being done, it appearing that Mr. Antonio Martinengo was absent, he was sent for by Vice Commissary Renaud from the house of his friend Strapodi, and, immediately on his arrival at the palace, was presented to the French envoy Sebastiani, and recommended as opulent, possessing influence, a good man, and the friend of the people. Sebastiani made him a short compliment, and then began his discourse by saying, "*That the First Consul had begun to give a political existence to these islands; that the vicissitudes of war and the distance of reinforcements were preparing for them another destiny; that he feels the warmest interest for their inhabitants, who would be rendered happy, if they would adopt such a system as would be most analagous to that of France;* that internal dissentions, and false principles, had for a moment taken from them the liberty of giving their own opinion about their constitution; but that, by a different conduct, they might in future possess that liberty; that the nobility might aspire to the offices of government on the ground of property, since it procured them a superior education, but that they ought not to pretend to establish, on a plea of birth, those privileges which should result from education, virtue, and property; that the people ought not to exclude the nobility merely because they were born in that sphere; that a spirit of general concord ought to recal tranquillity among the three classes of the nobles, the plebeans, and the mercantile class, which is the best; that they ought to avail themselves of the favourable situation of the country which gives the means of procuring, by commerce, wealth, and future opulence; that so seductive an object, exposed to the view of continental Greece, might rouse up that ancient ardour and national enthusiasm for liberty, by which the Republic of the Seven Islands will become a power superior even to its own expectations; that states have the same stages as the life of man, and therefore that it is not wonderful if, during their infancy, the errors of childhood should prevail in them; that if they are averse to the care of the French nation to maintain the happiness of those islands even by her own forces, (not subject to the outrages of fortune), the First Consul, in concert with the Emperor of Russia, will know how to establish by force an appropriate constitution for the Seven Islands: that lastly, he recommends to them to make known to the people these friendly sentiments of Bonaparte, directly communicated to them by him his immediate organ." He said

something respecting the Emperor of Russia, but very coolly, and added also, "That until the change of the present government, it will be necessary to obey the laws, however defective they may be, to respect its ministers, and obey their orders." When this speech was ended, Peta, the ex-superintendant of the Cerakides, cried out, "Long live the First Consul Bonaparte." The Russian commandant, who was present, remained silent at these proceedings, and feeling himself thus betrayed, he testified his disapprobation by his silence. The French envoy, as he left the palace in crossing the square, was huzza'd and applauded by the most ill-disposed of the people, led away by the bad example of all the former and present officers of the republic. He went into Mr. Renaud's house, and then returned on board his own ship. He enquired for an express for Cephalonia, where he wished to send advices of his intended destination. The delegate could not deny him permission to land, because he would have assumed the right of doing so of his own authority, and he thought, if in this case he had had recourse to the Russian force, he might have disturbed the peace which exists between the Emperor of Russia and the French Republic. He wished to have opposed such a studied harangue, but had he done so, the French envoy would have thought himself authorized to have gone out and have made it in the middle of the public square, and on a holiday, when the people were intoxicated with wine, and the remains of a spirit of democracy now reviving, by which a disastrous scene might have followed. These are the reasons which induced the delegate to chuse the lesser evil, more particularly so because he had not any instructions for his guidance in such unexpected occurrences. The Russian commandant regards this affair as an outrage against his sovereign, and he would have been sorry to have witnessed such a scene, had he not been obliged to do so.

Presented May 20, 1803.—*Instructions to Lord Whitworth, dated Downing-street, Nov.* 14, 1802.—My Lord, I take the first opportunity of communicating to your excellency, for the regulation of your conduct, the instructions which his Majesty is pleased to give you on such points as may become subjects of discussion between his Majesty and the French government; and to desire that you will endeavour to conform yourself to them in all your conversations with the French ministers. You will lose no proper opportunity of expressing his Majesty's earnest solicitude for the preservation of the peace which subsists between the two countries; his disposition to do every thing in his power for that purpose which is consistent with the honour of his crown and the interests of his dominions; and his regret at any circumstances which may have arisen to interrupt that harmony and good understanding which are so important to the welfare and happiness of both countries. You will, however, state most distinctly his Majesty's determination never to forego his right of interfering in the affairs of the continent, on every occasion in which the interests of his own dominions, or those of Europe in general, may appear to him to require it. This right his Majesty possesses in common with every other independent power; it rests upon general principles, and does not require the confirmation of any particular treaty. It is nevertheless important that you should observe, that the circumstances which led to the conclusion of the last peace, and the principles upon which the negotiation was conducted, would give his Majesty a special right to interpose in any case which might lead to the extension of the power or influence of France. In the communications which took place between the two governments previous to the signature of the preliminary articles, his Majesty proposed, as the basis of negotiation, that if the French government would not relinquish the continental acquisitions which they had obtained from other powers in the course of the war, his Majesty would claim the right of keeping a part of his conquests, as a compensation for the important acquisitions of territory made by France upon the continent. This principle was formally recognized by the French government in an official note in the following words: "Cependent on reconnoit que "les grands evénemens survenus en Europe, "et les changemens arrivés dans les limites "des grands etats du continent, peuvent "autoriser une partie des demandes du gou-"vernement Britannique." The terms of the treaty of peace were negotiated in conformity to this basis; and it appears, therefore, clear, that the then existing state of possession and engagements as respect the continent, were the foundation of the peace itself, and that his Majesty has therefore an undoubted right to interpose in consequence of the treaty in every case in which the state of possession may appear to him to have undergone any material alteration, or in which the engagements which were then subsisting had been violated to the prejudice of his Majesty, or of the other powers of Europe. You will proceed to observe, that the annexation of Piedmont to France, since the conclusion of the definitive treaty, makes a most material difference in the state of the fixed and permanent possessions of France: that the renunciation of the dutchy of Parma in favour

of France, a circumstance which was concealed at the time of negotiating the peace, and which is become of the greatest importance from its furnishing an additional instance of that system of *secret cession* which is totally inconsistent with any system of security for Europe, makes a most essential difference likewise in the relative situation of the two countries: that at the time of concluding the peace, the French government were bound by the most sacred engagements to respect the independence of the Helvetic and Batavian Republics, and to allow the people of those countries to choose whatever form of government they might think proper: that the violation of this right in the Swiss people, and the invasion of their territory, notwithstanding the representation which was made in their favour by his Majesty, makes a most material alteration in the state of engagements contracted since the conclusion of the definitive treaty, and adds most considerably to the influence and power of France, to the prejudice of a state which was then acknowledged as independent: that the conduct of the French government to the Batavian Republic was no less objectionable: that the independence of this republic was acknowledged, both by the treaty of Luneville and by the treaty of the Hague of the year 1795: that by the treaty of the Hague, the French government were permitted to keep a garrison in that country *only* till the time of general peace: that by a convention signed in August, 1801, the French troops were to remain there till the conclusion of the definitive treaty of peace between Great Britain and France: that the French troops have not, to this period, evacuated the country; and that the First Consul is represented lately to have declared, that in the event of any differences amongst the people of that country on the subject of their internal government, he would march with his whole army to suppress them: that this is an obvious violation of the independence of the Batavian Republic; and that his Majesty would have a peculiar right to interpose on the present occasion, as he consented to make numerous and most important restitutions to the Batavian government in the treaty of peace, on the consideration of that government being independent, and not being subject to any foreign controul. It is unnecessary for me to recommend to your excellency to make these representations with moderation and temper. You will attend very particularly to any explanations which may be given to you respecting them; and you will engage to report such explanations to his Majesty's government.

I have the honour to be, &c.

HAWKESBURY.

PAPERS RESPECTING THE RESTITUTION OF CERTAIN CONQUERED PLACES, ORDERED TO BE PRINTED, MAY 23, 1803.

Copy of his Majesty's Order for the restitution, to the French and Batavian Republics, of the following islands or settlements:—Cape of Good Hope, Martinique, Tobago, St. Lucie, Deseada and the Saints, Pierre and Miquelon, Curaçao, Surinam, Demerara, Berbice and Essequibo, St. Eustatius, St. Martin's, Goree, conquests in East Indies.

GEORGE R.—Trusty and well beloved, we greet you well: whereas a definitive treaty of peace has been signed at Amiens on the 27th day of March last, by our minister plenipotentiary, and those of the French Republic, his Catholic Majesty, and the Batavian Republic: and whereas it is stipulated by the third article of the said treaty, that we shall restore to the French Republic and her allies, namely, his Catholic Majesty and the Batavian Republic, all the possessions and colonies which belonged to them respectively, and which had been occupied or conquered by our forces in the course of the war, with the exception of the island of Trinidad and the Dutch possessions in the island of Ceylon: and it being further stipulated, in the twelfth article of the said definitive treaty, that the evacuations, cessions, and restitutions stipulated for by the present treaty, except where otherwise expressly provided for, shall take place in the continent and seas of Africa, within three months after the ratification of the present definitive treaty, which ratifications were exchanged on the 23d day of April last: and it being stipulated by the 13th article of the said definitive treaty, that in all the cases of restitution agreed upon by the present treaty, the fortifications shall be delivered up in the state in which they may have been at the time of the signature of the preliminary treaty, and that all the works which shall have been constructed since the occupation shall remain untouched, our will and pleasure is, that you do, pursuant to the stipulations above recited, deliver, or cause to be delivered to such commissary or commissaries as shall be named and authorized on the part of the Republic to receive the same, the of with the fortifications thereof, in the state in which they may have been at the time of the signature of the preliminary treaty, leaving untouched the works which shall have been constructed since the occupation: and for so doing this shall be your warrant. Given at our court at St. James, the day of May 1802, in the 42d year of our reign.

To our trusty and well-beloved governor of the of or to the officer com-

manding our troops in the said settlement, and to all others whom it may concern.

By his Majesty's command,

(Countersigned) HOBART.

Copy of an instruction from the Right Hon. Lord Hobart, to the governors of, or officers commanding at Surinam, Demerara, Berbice and Essequibo, Martinique, St. Lucie, Tobago, Curaçao.

Dated Downing-street, Oct. 17, 1802.

Sir, Circumstances having occurred, which render it adviseable to delay the restitution of the of to the Republic, I am to signify to you his Majesty's commands, that you should retain possession thereof until further orders. I have the honour to be, &c. HOBART.

To the Governor of

Copy of an instruction from the Right Hon. Lord Hobart, to the Governors of, or Officers commanding at Surinam, Demerara, Berbice and Essequibo, Martinique, St. Lucie, Tobago, Curaçao.

Dated Downing-street, Nov. 15, 1802.

Sir, I have the honour to acquaint you, that, notwithstanding the orders, which, by the King's commands, I communicated to you on the 17th ult. it is his Majesty's pleasure, that you do immediately proceed to the restitution of the settlement of to the government; in conformity to the directions you have already received for that purpose. I have the honour to be, &c.

HOBART.

To the Governor of

Papers No. 1 *to* 3, *inclusive, presented May* 24, 1803.

No. 1.—*Dated London, May* 20, 1803.—My Lord, I have the honour to inclose to your Lordship an official note which I received from Monsieur de Talleyrand on the day of my departure from Paris, and my answer. I have the honour to be, &c.

WHITWORTH.

Rt. Hon. Lord Hawkesbury, &c.

No. 2.—*Note from M. Talleyrand to Lord Whitworth, dated Paris, 22d Floreal, An* 11. —*Translation.*—The undersigned is charged to signify to his excellency Lord Whitworth, his Britannic Majesty's ambassador, that the First Consul having in the note of the 14th of this month made a proposal that the island of Malta should be put into the possession of either of the three guaranteeing powers, namely Russia, Austria, or Prussia, it would be insufficient to evade this proposition by pleading the refusal of his Majesty the Emperor of Russia to accept the trust, since the intentions of their Majesties the Emperor of Germany and King of Prussia in that respect remain to be ascertained. That moreover, the assertion contained in his excellency's note of the 20th of this month, as expressed in the following terms, "*by the refusal of his Majesty the Emperor of Russia to listen to it,*" is directly contrary to the guarantee which his Imperial Majesty has formally offered on condition of making some trifling alterations that the First Consul has no difficulty to adopt, but which he knows that the English ministry have refused, with a view, without doubt, at the time, of the strange pretension of keeping Malta. That moreover this assertion is in absolute contradiction to the assurances which the First Consul has received from Petersburgh since his Britannic Majesty's message has been known there, and which have lately been renewed to him by an authentic communication which Count Markoff made yesterday of the intentions of his court. From whence it results, that it is impossible to reconcile the last communication made by his excellency Lord Whitworth with the fresh confirmation which has just been acquired of the dispositions of his Majesty the Emperor of Russia; and that one cannot help believing that his Britannic Majesty, when better informed, will himself hasten to give to his excellency instructions differing from those which he has received and communicated in the name of his government. The undersigned seizes this opportunity to renew to his excellency Lord Whitworth the assurance of his high consideration. CH. MAU. TALLEYRAND.

à son Excellence, &c.

No. 3.—*Note from Lord Whitworth to M. Talleyrand, dated Paris, May* 12, 1803.—*Translation.*—The undersigned has the honour to acknowledge the receipt of the note which the minister for foreign affairs sent to him this day, and he will not fail to transmit it to his court. In the mean while, he requests the minister for foreign affairs to send him the passports which he required of him. He seizes this opportunity to renew to his excellency the assurance of his high consideration. WHITWORTH.

Au Citoyen Talleyrand, &c.

Papers No. 1 *to* 6, *inclusive, respecting the continuance of the French Troops in Holland, ordered to be printed, May* 25, 1803.

No. 1.—*Extract of a Dispatch from Mr. Liston to Lord Hawkesbury, dated the Hague, November 5th,* 1802.—The anxious apprehensions under which the Dutch government have for some time laboured, have been in some measure calmed by the accounts received to-day from different quarters. Their ambassador at Paris has transmitted a copy of a nervous and well-written memorial, presented by him to the minister of foreign affairs (in consequence of the instructions lately sent from

hence); and he informs the Secretary of State, that he received the most positive assurances from M. de Talleyrand, that it was by no means the intention of the First Consul to encrease the number of French troops in the Batavian Republic, or to march back those now upon the frontiers into the interior parts of this country: that, on the contrary, it was his fixed determination to withdraw the whole as soon as the proper arrangements could be made for that purpose.

No. 2.—*Extract of a dispatch from Mr. Liston to Lord Hawkesbury, dated the Hague, November 12th*, 1802.—Whatever may be the resolution of the First Consul, respecting the final evacuation of the Batavian Republic by the Troops of France (a subject on which this government remains in a state of doubt and uncertainty) there seems reason to suppose that a certain portion of them—the 17th and 74th Demi-Brigades of Infantry, amounting to about four thousand men,—are to be embarked at Helvoet Sluys, and transported to Louisiana, under the direction of General Victor, who has been appointed to the chief command in that new colony.

No. 3.—*Extract of a dispatch from Lord Whitworth to Lord Hawkesbury, Paris, 13th Dec.* 1802.—The Batavian ambassador, Vos van Steinvick, has been instructed to make a representation, couched in the strongest terms, against the conduct of this government, with regard to the French troops which continue to be quartered in Holland. Your lordship well knows, how long, and how anxiously, the Batavian government has been expecting to be delivered from this burthen.

No. 4.—*Dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, December 13th*, 1802.—My lord, your lordship will learn, by my former dispatch of this date, the step which is to be taken by the Dutch ambassador, for procuring the evacuation of the Batavian territory by the French troops. I cannot flatter myself that any direct interference on my part, would, under the present circumstances, assist in promoting this important object—And I know that the Dutch ambassador entirely coincides with me in this opinion. I have however, invariably, held a language on this subject, conformable to the general instructions which I received on my departure from London. I have the honour to be, &c.

WHITWORTH.

The Right Hon. Lord Hawkesbury, &c.

No. 5.—*Extract of a dispatch from Mr. Liston to Lord Hawkesbury, dated the Hague, 11th January*, 1803.—The negociations between the secretary of state and M. de Semonville, respecting the continuance of French troops in the southern garrisons of this Republic, have been carried on with uncommon activity for the last few days; and this morning M. de Sparre, Son-in-Law to Madame de Semonville, set out for Paris, carrying with him the ambassador's report of the result of their conferences. The Dutch government, though they appear to be devoted to the idea of the independence of their native country, have adopted the opinion, that it is, upon the whole, wiser to yield to the wish of Bonaparte, to continue for a limited time small garrisons in some of the frontier towns, than by an obstinate resistance to draw on this Republic the fate of Switzerland.

Papers No. 1 and 2, respecting the Guarantee of Russia, ordered to be printed, May 26, 1803.

No. 1.—*Copy of a Letter from Lord Hawkesbury to Sir John Warren, dated Downing-street, January 29th*, 1803.—Sir, your excellency's dispatches, to No. 21, inclusive, have been received and laid before the King. I send you now inclosed the official answer to the note of the chancellor Count Woronzow, relative to the 10th article of the treaty of Amiens—it has been delivered to Count Simon Woronzow, the Russian ambassador at this court. In communicating this note, you will express, in suitable terms, how sensibly His Majesty feels the friendship which the Emperor of Russia has manifested to him on this occasion, in his disposition to concur in the arrangements relative to the island of Malta—and how sincerely His Majesty regrets, that it is not in his power to acquiesce, without condition or explanation, in every thing that His Imperial Majesty has proposed on the subject. His Majesty however trusts that, when all the circumstances are taken into consideration which bear upon this important subject, the Emperor of Russia will be satisfied, that the line of conduct which has been adopted by His Majesty, is such as a regard to good faith and to the interests of his dominions have rendered necessary. The only material difference, between the arrangement proposed by the Emperor of Russia for the Island of Malta, and that in which his Majesty is willing to concur, relates to the stipulations in favour of the Maltese inhabitants. It is important that your excellency should impress the Russian government with the conviction of the services rendered by the inhabitants of Malta to his Majesty and to the common cause, at the time when the French were in possession of the island. That, for nearly two years, they maintained a state of constant and active hostility against the French: that several thousands of them perished in this state of hostility; and, that these efforts were made at a time when they could receive assistance from no other foreign power: that the attachment evinced by the Maltese to his Majesty, during

the blockade, and their loyalty to him since he has obtained possession of the island, gives them a peculiar claim to his protection, and a right to expect, that, in the future arrangements for the island, some advantages should be stipulated in their favour: that, independent of every consideration of good faith, your excellency well knows that the Maltese inhabitants, if attached to their government, are equal to the defence of the island; and that every motive of policy, therefore, as well as of justice, renders it expedient to endeavour to conciliate their affections. These circumstances being premised, you will state, that the objection which, it is conceived, has had most weight with his Imperial Majesty, is that stipulation in the 10th article of the treaty of Amiens, which, at the time that it establishes a Maltese langue, requires no proof of nobility for admission into that langue: that such a stipulation is considered as leading to the establishment of a plebean langue, totally inconsistent with the spirit of the institution of the Order. His Majesty is extremely desirous of devising means by which this objection shall be obviated, and the interests of the Maltese adequately consulted. The proofs of nobility, which have been required for other priories, have been various; and the power of the Pope to grant dispensations, has been admitted to exist: if, therefore, *actual nobility* was made the indispensable condition of admission into the Maltese langue or priory, the objection, which is at present made to this part of the arrangement, would, in a great degree, if not wholly, be removed. As, however, the number of persons who would be capable of admission into the Order, in consequence of such a regulation, would be very limited, it appears reasonable, that some further stipulations should be made in favour of the inhabitants of Malta; and it may be proposed to revive, under such regulations and modifications as may be judged expedient, the national council which formerly existed in that island, which should form no part of the Order, but which should have a share in the government of the island, and a deliberative voice in all its internal concerns. A body of this description could not be considered as in any respect derogatory to the ancient institution of the Order, and would be conformable to what existed within the island till within a very very few years. It is for the purpose of obtaining information on these points, that instructions will be sent to Sir Alexander Ball; it being impossible, after all that has passed, to bring the negotiation to an issue, without some communication with the principal inhabitants of Malta. His Majesty relies on your zeal in giving effect to these instructions, and in your endeavours to reconcile the Russian government to the objects of them. The events which have happened since the conclusion of the definitive treaty; the unbounded ambition which has been, and still is, manifested by the French government; might have justified his Majesty in bringing forward new demands, and in even claiming the appropriation of Malta, as some counterpoise to the acquisitions made by France since the treaty of peace; but the moderation with which his Majesty has been actuated in all his concerns with foreign powers, and his anxious desire that the peace of Europe may, if possible, be effectually consolidated, has induced him to forego those claims which the increased and increasing power of France might have justified him in advancing; and as every stipulation in the treaty of Amiens has been in a course of execution on his part, with the exception of the tenth article, he is desirous of shewing his disposition to concur in an arrangement which may be conformable to the spirit of the article; if such an arrangement can be rendered consistent with the honour of his crown; and if it effectually provides for the object of the tenth article: the independence of the Island of Malta. I am, with great truth and respect, &c. HAWKESBURY.

His Excellency Sir John Warren, &c.

No. 2.—*Copy of a Note from Lord Hawkesbury to the Vice-Chancellor Count A. Woronzoff, dated Downing-street, Jan.* 29, 1803.—The undersigned, his Majesty's principal secretary of state for foreign affairs, has laid before the King, the note of the chancellor of his Imperial Majesty of all the Russias, together with the projet of the articles inclosed in it, which was delivered to his excellency Sir John Borlase Warren, in consequence of the invitation made by his excellency and the French minister, in the name of his Majesty and the First Consul of the French Republic, to his Imperial Majesty to accede, as a guaranteeing power, to the 10th article of the definitive treaty of peace, signed at Amiens on the 27th day of March last. It has been his Majesty's sincere and constant desire, that the stipulations of this article, as well as every other part of the definitive treaty of peace, should be carried into complete effect; and as circumstances have arisen, since the conclusion of the treaty, which render it impracticable to execute the tenth article according to the terms of it, and which have made fresh stipulations necessary, that means should be found, by amicable negotiation, of accomplishing an arrangement, which may be deemed conformable to the spirit of the treaty, and to the intentions of the contracting parties at the time of concluding it. His

Majesty attaches the greatest importance to the accession of the Emperor of Russia to the 10th article of the definitive treaty; not only on account of the security which the guarantee of his Imperial Majesty would give to the independence of the Island of Malta, but likewise from a desire to obtain his Imperial Majesty's sanction and concurrence, with respect to the arrangements stipulated in that article. His Majesty has invariably manifested the same disposition. As soon as he learnt the proceeding, which had been adopted at St. Petersburgh, in consequence of the proclamation of the Emperor of Russia for the election of a Grand Master, he proposed to the French government to join with him in declaring, that, as contracting parties to the treaty of Amiens, they were ready to acknowledge that election to be valid, and to recognize the person who might be named by the Pope out of those who were chosen by the priories in Russia, and whose names appeared in the list that was then published, to be Grand Master of the Order of St. John. In conformity to the principles which governed his Majesty's conduct on that occasion, he is perfectly ready to adopt the suggestion of his Imperial Majesty, for the conclusion of a supplementary convention to the 10th article of the treaty of Amiens; and he has no difficulty in declaring his entire acquiescence in the second, third, fifth, and sixth articles, contained in the projet delivered to Sir John Warren; his Majesty entirely concurs likewise in that part of the first article, which relates to the acknowledgement of the sovereignty of the Order of St. John of Jerusalem over the Island of Malta and its dependencies. With respect to the other part of the article, which refers to the advantages stipulated in favour of the Maltese; his Majesty is extremely anxious that means may be devised of reconciling the views of the Emperor of Russia, relative to the Order of St. John, with the attention, which a regard for the honour of his crown renders due to the interests and wishes of the Maltese inhabitants, and with the indispensable object of the 10th article of the treaty of peace, that of providing effectually for the independence of the island; and he trusts that such an arrangement may be found not inconsistent with the spirit of the original institution of the Order. His Majesty will lose no time in giving instructions to Sir Alexander Ball, to take measures for obtaining the information which may be necessary for enabling his Majesty to form his determination on this subject. His Majesty trusts that that part of the fourth article, which relates to the number of Neapolitan troops, will be judged unnecessary, when it is understood that, with a view to the execution of the provisions of the treaty of Amiens, measures have already been taken for raising a Maltese force of 2000 men, which, together with the 2000 at present in the island, will form an adequate garrison for its defence. His Majesty, however, entirely agrees with the Emperor of Russia, in the necessity of providing adequate funds for the support of this garrison; and, as the property of the Spanish priories has been sequestered since the conclusion of the definitive treaty, to which treaty his Catholic Majesty was a party, he thinks it indispensible, that the property of those priories should be restored to them; especially as the Portuguese government have lately declared their intention of sequestrating the property of the Portuguese priory, as forming a part of the Spanish langue, unless the priories of Spain are reinstated in their former possessions. As those sequestrations have been carried into effect since the conclusion of the treaty of peace, and as it is highly important to secure, under any circumstances which may happen, a revenue adequate to the maintenance of the civil and military government, and of the independence of the island, his Majesty adopts, from a conviction of its necessity, the suggestion of the Emperor of Russia, that whatever sum may be requisite for that purpose beyond the ordinary revenue, shall be provided by an equal contribution on the part of his Majesty and of the French government; and in default of payment by either of the parties, it shall be at the option of the other party to contribute the whole. His Majesty has thus stated, without reserve, to his Imperial Majesty, his sentiments on every part of this important subject, and his readiness to agree in such modifications of the 10th article of the treaty of Amiens, as may be found not inconsistent with the spirit of it; as may be compatible with the interests of all the parties concerned, and which, his Majesty trusts, will therefore prove satisfactory to the Emperor of Russia.

HAWKESBURY.

Papers No. 1 *to* 8 *inclusive, respecting Commercial Commissioners from France: Ordered to be printed June* 1, 1803.

No. 1.—*Translation of a Letter from Mr. Otto to Lord Hawkesbury, dated Portman-square, May* 23, 1802.—My Lord, his Britannic Majesty's government having often manifested to me a desire to concert some particular arrangements for the establishment or the maintenance of several relations of commerce between the two nations: I have the satisfaction to inform your excellency, that the First Consul, penetrated with the same sentiments, and having a particular de-

sire to consolidate the relations of friendship so happily re-established between the two nations, has determined to send without delay to London, Citizen Coquebert Montbret, who has lately resided at Amsterdam with the character of commissary general of commerce. He has received orders to repair to London, as soon as possible, to co-operate with me on every thing relative to this important negociation; and I am particularly directed to assure the British government, that the First Consul desires to conduct it promptly to a termination mutually advantageous. I have the honour to be, &c. OTTO.

Right Hon. Lord Hawkesbury, &c.

No. 2.—*Copy of a letter from Lord Hawkesbury to M. Otto, dated Downing-street, May* 24, 1802.—Sir, I have the honour to acknowledge the receipt of your letter of yesterday, and to inform you, that his Majesty's government have learnt, with peculiar satisfaction, the disposition of the First Consul to conclude some arrangement with respect to the commercial intercourse between this country and France. Whenever Mr. Coquebert Montbret shall arrive, I shall be happy to enter into an immediate negociation on this important object, in concert with you and that gentleman; and I trust that, by our conjoint exertions, we shall be enabled to bring it speedily to a conclusion reciprocally beneficial to both countries. I have the honour to be, &c. HAWKESBURY.

M. Otto, &c.

No. 3.—*Translation of a letter from M. Otto to Lord Hawkesbury, dated London, June* 24, 1802.—My Lord, I have the honour herewith to transmit to you the original commission appointing Citizen Coquebert Montbret commissary general of the commercial relations of the French Republic at London. I request you to give to this act the accustomed formalities, in order to enable Citizen Coquebert freely to fulfil his duties, on the condition of perfect reciprocity towards the person whom his Majesty may think fit to send to France with the same character. I have the honour to be, &c.

OTTO.

His Excellency Lord Hawkesbury, &c.

Inclosure referred to in No. 3.—*Translation of M. Coquebert Montbret's commission as Commissary General for commercial relations at London.—In the name of the French people.*—The First Consul of the Republic having appointed Citizen Charles Stephen Coquebert Montbret, to the post of commissary general of the commercial relations of the French Republic at London; orders him to repair, without delay, to his destination, there to exercise, conformably to the laws, the functions with which he is intrusted;—enjoins all French merchants, captains, masters, owners, and seamen, as well as all other Frenchmen residing within the said district, to acknowlege Citizen Coquebert Montbret in the post conferred upon him in the name of the French people, and to give him an account of the navigation, and destination of their vessels, and of every thing which may relate to the service in which he is employed. For which purpose they are to exhibit their license, clearances, passports, and are punctually to conform themselves to all the regulations he may require. The First Consul moreover enjoins the minister plenipotentiary of the French Republic at London, to apprize the government of Great Britain, of the appointment of Citizen Coquebert Montbret, and to require their approbation thereof, as commissary general aforesaid, in order that he may freely exercise his functions, without any lett or hindrance whatever; offering perfect reciprocity towards all those who shall be in like manner recommended to him.—Given at Paris, at the national palace of the Consuls, under the seal of the French Republic, the 30th Floréal, year 10.

The First Consul of the Republic,

BONAPARTE.

By order of the First Consul,

The Secretary of State, HUGUES B. MARET.

The Minister for Foreign Affairs,

Ch. Mau. Talleyrand.

No. 4.—*Translation of a letter from M. Otto to Lord Hawkesbury, dated Portman-square, Sept.* 15, 1802.—My Lord, I have the honour of transmitting to your excellency, the original commission appointing Citizen Chépy vice-commissary of commercial relations in the islands of Jersey, Guernsey, and Alderney. I beg you will have the goodness to annex the exequatur in the usual form to it, and to return it to me. I have the honour to be, &c. OTTO.

His Excellency Lord Hawkesbury, &c.

Inclosure referred to in No. 4.—*Translation of the commission of Citizen Peter Chépy, as Vice-Commissary of commercial relations at Jersey, &c.—In the name of the French Republic.*—The First Consul of the Republic having appointed Citizen Peter Chépy to the post of vice-commissary of commercial relations of the French Republic in the islands of Jersey, Guernsey, and Alderney, orders him to repair without delay to his destination, there to exercise, in conformity to the laws, the functions with which he is entrusted;—enjoins all merchants, captains, masters, owners, and seamen, as well as every other Frenchman residing within the said district, to acknowledge Citizen Chépy in the post conferred upon him, in the name of the French people, and to give him an account of the

navigation and destination of their vessels, and of every thing which may relate to the service in which he is employed. For which purpose, they are to exhibit to him their license, clearances, passports, and are punctually to conform themselves to all the regulations he may require. The First Consul moreover enjoins the minister plenipotentiary of the French Republic at London, to apprize the British government of Citizen Chépy's appointment, and to require their approbation thereof as vice-commissary aforesaid, in order that he may freely exercise his functions, without any lett or hindrance whatever; offering perfect reciprocity towards all those who shall in like manner be recommended to him. Given at Paris, in the national palace of the Consuls, under the seal of the French Republic, the Thermidor, 10th year.

The First Consul of the French Republic,

BONAPARTE.

By order of the First Consul,

Hugues B. Maret, Secretary of State.

Ch. Mau. Talleyrand,

Minister for Foreign Affairs.

No. 5.—*Copy of a Note from Lord Hawkesbury to M. Otto, dated Downing-street, Sept. 18th*, 1802.—Sir, I have the honour to acknowledge the receipt of your letter of the 15th instant, inclosing the commission of Mr. Chepy as vice-commissary of commercial relations, on the part of the French Republic, for the islands of Guernsey, Jersey, and Alderney. I desire you to be assured, that his Majesty's government have uniformly been, and continue to be, solicitous to see the commerce between this country and France renewed upon a just and equitable footing: it has therefore afforded them sincere concern to learn, that their disposition in this respect has not as yet been met by a corresponding disposition on the part of the French government; but that the commerce of his Majesty's subjects, in the ports of France, is in a very uncertain and precarious state, and is exposed to numerous vexations and difficulties. Under these circumstances, his Majesty is under the necessity of postponing the recognition of any commercial agent of the French Republic within his dominions, until some commercial arrangement, either definitive or provisional, can be agreed upon by the two governments. The expectation of receiving more satisfactory information upon this important subject, has hitherto induced me to defer returning an answer respecting the commission of M. Coquebert Montbret, as commissary general of commercial relations on the part of the French Republic. But having been disappointed in that expectation, I request you, Sir, to consider the determination of his Majesty, as stated in this letter, to be equally applicable to M. Coquebert's nomination. I desire you to accept the assurances of the high consideration with which I have the honour to be, &c.

M. Otto, &c. HAWKESBURY.

No. 6.—*Translation of a Letter from M. Talleyrand to Gen. Andreossy, dated Paris, 9th Nivose, An* 11. *communicated by the latter to Lord Hawkesbury, in answer to a verbal Representation, which had been made by him to the French Ambassador.*—I received with your letter of the 2d of this month, citizen ambassador, copy of a circular letter, and of a series of questions that I had directed to several commissaries of French commercial relations, residing in foreign parts; and this letter is merely in reply to that part of your's which relates to this circumstance. You inform me, that the passages underlined are those which appear to have excited the mistrust of the English government, by whom my packet was opened. You will readily have observed, that the part of my letter which was the most strikingly underlined, was the close of it, wherein I recommended the commissaries not to consider the task I required of them as forming a part of your official correspondence, but to write at the top of their answers, *Private Correspondence.* To enable you to judge of my motives, and to give every satisfaction to Lord Hawkesbury, if you think it of sufficient importance, it will be sufficient to tell you, that the informations I am desirous of collecting, are intended for the completion of a work in the nature of that intitled, the "*Balance of Commerce.*" This object forms no part of the labours of any of the branches of the department for foreign affairs; it is entirely the business of men of letters. The questions which I have put, are with a view to verify the information already obtained by other information; and the commissaries of commercial relations are better qualified to furnish me with it, than any one. This trifling matter forms no part of their ordinary employment; and for that reason is not classed with their communications, which ought always to be made in the regular form. My design rather is to enforce the execution of it, than to allow a departure from it. This is an invariable principle with me. But the mere reading of my letter, and of the questions annexed thereto, sufficiently prove how fastidious it would be to attach to them any greater importance than what is due to a work strictly literary: and I was so little desirous of avoiding their publicity, that I at first entertained the idea of having them printed. I have the honour to salute you.

CH. MAU. TALLEYRAND.

No. 7.—*Minute of a verbal Communication from Lord Hawkesbury to General Andreossy, dated Jan.* 11, 1803.—Lord Hawkesbury informed the French ambassador, that, in consequence of the representations which had been

made on the subject of the French commissaries of commercial relations, by his Majesty's government, it was their determination, not to allow those persons to execute any of the functions assigned to them by their respective commissions, nor to proceed to the nominal places of their destination; and in the event of their attempting to proceed thither, to direct them to quit the King's dominions. In order, however, to obviate the necessity of having recourse to these measures, his Majesty's government trusted that the French government would, of their own accord, direct these persons to return to France.

No. 8.—*Memorandum: June 1st*, 1803.—No order to quit his Majesty's dominions was sent to any of the persons stiling themselves "commissaries of commercial relations," except to M. Chepy, at Guernsey.

Papers No. 1, 2, and 3, respecting the Maltese Deputies and M. Chépy; ordered to be printed June 6, 1803.

No. 1.—*Translation of a Letter from the Maltese Deputies to Lord Hobart; dated Upper Berkley-street 1st March*, 1802.

The deputies sent on the part of the extraordinary congresses held at Malta and Gozo, consisting of the heads of battalions and representatives of the several villages, have the honour to lay before Lord Hobart, minister of his Britannic Majesty for the department of war, the following memoir, conformably to the instructions which they received from their constituents, the 9th November, 1801.

My Lord, It is with the most lively grief and the utmost surprise that the Maltese people have been informed of the severe and unmerited fate which awaits them, in the return of the Order of St. John of Jerusalem to the islands of Malta and Gozo. The defection and treachery of which that Order became guilty, will form an æra in the annals of the world, as striking as that which now replaces us under its despotic dominion, notwithstanding that it betrayed us to an army unfaithful to its promises and engagements. The judgment which posterity will pronounce upon this transaction, will be no panegyric on the age in which we live; and we anticipate the complaints and the reproaches which our latest descendants will direct against us, if a base timidity should induce us to be silent before the just and magnanimous tribunal, at which we have the benefit of appealing. We refrain from alledging the motives, which would justify our resentment towards the Order of St. John of Jerusalem. The blood that has been shed; the deaths of twenty thousand of our fellow citizens, in consequence of the greatest distresses; the expences incurred during the first months of the revolution, for the support of our battalions, and the loss of six millions of crowns, sufficiently refute the atrocious calumnies with which the author of the *Answer to the Manifesto of the Priory of Russia* has endeavoured to load us. The falsehood confutes itself; since it was notorious to every one, that the plan of the invasion of Malta was projected at Paris, and that it was entrusted to the first Knights of the Order resident at Malta. They continually received letters written in cypher, without exciting any alarm either in the late Grand Master de Rohan, or in the Grand Master Hompesch. After these irrefragable facts, judge, my lord, whether the Maltese people will see, without astonishment, and with indifference, the authors of their misfortunes returning into their country, to dispose of their interests? If we ourselves were willing to keep silence, the ashes, still warm, of those who died to free and conquer their native land, would cry out to us more effectually to defend our rights and the cause of truth. Yes, my lord, we dare to affirm, that the Knights of St. John of Jerusalem cannot be re-established in Malta, without invading the just rights of the august descendants of Charles the Fifth, and the rights of the Maltese, and exposing the latter to new convulsions. The Maltese people, distinguished of old for their fidelity by their ancient sovereigns, have been equally distinguished in these late times by their energy and their love for justice. They easily sacrifice their resentments, but they require that their sacrifices should be acknowledged. In proof of which, my lord, permst us to recall to you, the quiet submission which the Maltese displayed in the capitulation made by the English general with Monsieur Vaubois. Our blood, our labours, our rights, and all our interests, were either forgotten or despised. We beheld, with an exemplary calmness, commanding respect in those who witnessed it, the French lay down their arms upon the glacis, only to load themselves with the remainder of our spoil; so that the faithful and virtuous Maltese was reduced to a condition to envy the lot of the guilty and rebellious. Would we could withhold from our descendants, the knowledge of a capitulation, which wounded our rights and rendered us unhappy! It is true, that the presence and the wisdom of Captain Ball, to whom we then preferred our complaints, contributed much to the alleviation of our distresses; but as subsequent events have neither seconded our expectations or our wants, we cannot conceal from you, my lord, the unfavourable impressions which the preliminaries of peace have given us, of a government, to which

we have always been desirous to prove our attachment, our fidelity, and our preference. We know, my lord, that it is not for us to influence political transactions. Nature has destined Malta to be determined by relation to its position and its strength, and not to decide on its own arrangements. But it is, nevertheless, for policy to consider its numerous population. Russia, France, and all the other powers of Europe, are too just and too enlightened to condemn the conduct of the Maltese, in their opposition to the re-establishment of an Order, which, by its tyranny, treachery, and corruption, is for ever incapable of inspiring confidence, or of conciliating the minds of the people. If, therefore, my lord, the people of Malta are doomed, by inevitable and imperious circumstances, to endure the pain and affliction of being separated from the empire of his Britannic Majesty, and if the tranquillity of Europe demands that the islands of Malta and Gozo should be placed in a condition of neutrality, we entreat you, my lord, in the name of our constituents, and of every thing most dear and sacred among men, in the name of the rights of nations and of justice, to beseech his Britannic Majesty to vouchsafe to employ his efficacious and powerful mediation with the other powers, in order that the islands of Malta and Gozo may be left in the enjoyment of their independence, under the mutual guarantee of Great Britain and France, and not be treated as a conquered country after that their inhabitants have spilt their blood and exhausted their substance in its defence. You must be sensible, my lord, that, in our quality of deputies, we could not avoid submitting to your excellency the wishes and the intentions of our nation. In citing a part of the crimes of the Order of St. John of Jerusalem, we have not merely sought to give vent to our feelings, but to justify, in the face of the whole universe, our eternal opposition and vigorous resistance to it, should it ever dare to appear again amidst our hearths, still wet with the blood which it has caused to flow. Deign, my lord, to employ your credit with his Britannic Majesty, in favour of justice, of truth, of humanity, and of a nation worthy of a different fate; and accept, if you please, the homage of the most respectful devotion, with which we have the honour to be, my Lord, &c. &c.

Le Marquis Testaferrata.
L'Abbé Emanuel Ricaud.
L'Abbé Pierre Mallia.
Ph. Castagna, Lieut. des Villes, &c.
Antoine Mallia, Jurat du Goze.
Michel Cachia, Representant.

No. 2.—*Letter from the Maltese Deputies to Lord Hobart, dated April 2*, 1803.—See Cobbett's Register, Vol. III. p. 867.

No. 3.—*Minute of the Measures taken respecting M. Chépy.*—On the 14th of November, 1802, a letter was written, by Sir George Shee, under Lord Pelham's direction, to General Gordon, commanding at Guernsey; which stated, that his Majesty had refused to allow any of the persons stiling themselves "commissaries of commercial relations," to exercise any of the functions appertaining to that office within his Majesty's dominions. On the 5th of February, 1803, General Gordon was instructed to represent to Mr. Chépy, that as none of the commissaries of commercial relations had been permitted to proceed to the places of their destination, and that some of them had actually returned to France, it would be advisable for him also to repair to that country. On the 9th of March following, General Gordon was directed to order Mr. Chépy to quit Guernsey without delay, if he had not already taken his departure from it.

OFFICIAL PAPERS ON SUBJECTS CONNECTED WITH THE PRELIMINARY AND DEFINITIVE TREATIES, AND THE LATE NEGOTIATIONS BETWEEN GREAT-BRITAIN AND THE FRENCH REPUBLIC.

Published by Order of the French Government.

Part I.—The Preliminaries of London.

AS soon as the changes which took place in France, on the 18th of Brumaire, were established, the sole desire of the First Consul was to give peace to the world; and he was anxious to determine on the means of doing it. The most direct, appeared to him to be the best. He could not believe, that, after eight years of a war, the result of which had destroyed the hopes of those who had undertaken it, those powers which had been most determined in the contest, did not feel the necessity of terminating those calamities which seemed to have no decisive point, and were without the promise of any adequate compensation. He imagined, that a false dignity, and the prejudices attached to old political systems, might hinder the belligerent parties from advancing the first propositions;

and as the pacification of Europe depended upon their being made, he did not hesitate to do it. He accordingly addressed letters to the Emperor and to the King of England. The letter of the First Consul to the King of England was conceived in the following terms:

Paris, 5th Nivose, 8th Year.

Being called by the wishes of the French nation to fill the chief magistracy of the republic, I considered it becoming me, on taking possession of my charge, to make a direct communication of this circumstance to your Majesty. The war which has, for eight years, ravaged the four parts of the world, ought not to be eternal; and surely some means might be employed to come to a right understanding on the subject. How is it possible that the two most enlightened nations of Europe, and whose power and strength are more than sufficient to secure their own safety and independence; how can they sacrifice to ideas of vain glory, the welfare of commerce, interior prosperity, and every comfort of domestic life! How is it that they are insensible to the truth, that peace is the first of our wants, and the first object of our glory! These sentiments must be familiar to the heart of your Majesty, who reigns over a free nation, and whose only object is to render them happy. Your Majesty will perceive, that in this overture I have no other object than to contribute efficaciously, and for the second time, towards a general pacification, by some prompt measure, and an entire confidence, disengaged from those forms, which, however necessary they may be to disguise the dependence of inferior states, do not conceal any thing, in the stronger governments, but the mutual desire to deceive. Both France and England, by a misapplication of their strength, may yet for a long time, and to the distress of mankind, retard its dissolution: but I do not hesitate to assert, that the fate of every civilized nation is attached to the termination of a war which embraces the whole world.

BONAPARTE.

There was surely every reason to expect, that an overture so frank, so sincere, and so conformable to the interests of the two countries, would receive a direct and favourable answer: but the British government, instead of meeting the question of peace fairly, and acceding to the offers which had been made for a negotiation, entered upon a justification of the war, and enveloped herself in recriminations which it was necessary to combat, though at that moment no hope could be entertained of a discussion begun with such an opposition of opinion. The answer of Lord Grenville to the Minister of Foreign Affairs, and the note which accompanied it, were expressed in the following terms:

London, Downing-street, Jan. 4, 1800.

Sir, I have received and presented to the inspection of his Majesty the two letters that you addressed to me. His Majesty, seeing no occasion to depart from the forms so long established in Europe on the business which is transacted between different states, has commanded me to return you, in his name, the official answer which is inclosed in this note. I have the honour to be, with high consideration, &c. &c. GRENVILLE.

Downing-street, Jan. 4, 1800.

The King has given frequent proofs of his sincere desire for the re-establishment of a permanent tranquillity in Europe. He has not been, nor is he now engaged in any contest from false notions of glory. He has had no other views than to maintain, against all aggression, the rights and happiness of his subjects. It is for these objects that he has hitherto contended against an unprovoked attack: it is for the same objects that he is compelled to continue the contest; and he entertains no expectation that he can remove this necessity by entering into a negotiation with those, whom a new revolution has so lately invested with power in France. In fact, from such a negotiation, the desirable object of a general peace can receive no advancement, till it is clear and evident that those causes cease to operate which originally produced the war, have since prolonged its duration, and which, more than once, have renewed its effects. This system, whose predominant influence France has just reason to consider as the cause of her present misfortunes, is also that which has enveloped the rest of Europe in a tedious and destructive war: and of a nature unknown for a long succession of years to civilized nations. To extend this system, and to exterminate all established governments, the resources of France have from year to year been lavished and exhausted, in the midst of unexampled distress. Owing to this undistinguishing spirit of destruction, the Low Countries, the United Provinces, and the Swiss Cantons, those antient friends and allies of his Majesty have been sacrificed. Germany has been ravaged; and Italy, though snatched from its invaders, has been the theatre of frequent pillage and disorder. His Majesty finds himself under the necessity to maintain a difficult and burthensome contest, to secure the independence and existence of his kingdoms. And these calamities are not confined to Europe alone, but are made to reach the most remote parts of the world, even to countries so far removed by their situation, as well as their interest, from the present contest, that

its existence was probably unknown to those who are on a sudden involved in all its horrors. While such a system predominates, and the blood and treasures of a populous and powerful nation are lavished to support it, it has been proved by experience, that there is no other way to guard against it, but by open and decided war. The most solemn treaties have only prepared the way for new aggressions: and it is to this determined spirit of resistance alone, that is to be attributed the preservation of what yet remains in Europe, of private property, of personal liberty, of social liberty, and the free exercise of religion. In his vigilant attention to the preservation of these essential objects, his Majesty cannot place a confidence in the simple renewal of general professions, announcing pacific dispositions. These professions have been again and again published by all those who have successively directed the resources of France towards the destruction of Europe; and even by those whom the actual governors of France have declared, from the beginning, and at all times, to be incapable of maintaining the relations of peace and amity. His Majesty will experience a very sensible pleasure, when he shall perceive that the danger which has so long threatened his own dominions and those of his allies, exists no more; when he shall be convinced that resistance is no longer a matter of necessity, and when, after such a long succession of crimes and misfortunes, he shall see better principles predominate in France: in a word, when those gigantic projects of ambition, and restless plans of destruction, which have brought it into doubt the existence of civil society, are no more. But the conviction of such a change, how agreeable soever it might be to the wishes of his Majesty, must be the result of experience and evidence of facts. In the mean time, the most natural and the best security for the reality and stability of this change, will be found in the re-establishment of that race of princes, who, during so many ages, knew how to secure the internal prosperity of the French nation, and maintain its exterior respect. Such an event would, at the present moment, and in future, remove all obstacles which have been opposed to the negotiation for peace, it would assure to France the incontestible enjoyment of its antient territory, and give to all the other nations of Europe, by calm and peaceable measures, that security which they are now compelled to seek by other means. But, desirable as such an event may be for France, and the whole world, his Majesty does not exclusively attach to it the possibility of a solid and durable peace. His Majesty does not pretend to prescribe to France the form of its government, nor in what hands it shall depose the necessary authority for conducting the affairs of a great and powerful nation. His Majesty looks only to the security of his own states, of those of his allies, and of Europe in general: whenever he shall be convinced that this security may be obtained in any way whatever; whether it results from the interior situation of the country, whose interior situation caused the original danger; whether it proceeds from any other circumstance which leads to the same end; his Majesty will embrace with ardour the occasion of concerting with his allies a plan ofgeneral and immediate pacification. Unhappily, to the present moment no such security has existed: no pledge of those principles which ought to direct the new government; no reasonable motive to judge of its stability. In this situation, it remains only for his Majesty to pursue, in concert with the other powers, a just and defensive war, which his zeal for the happiness of his subjects will never permit him to continue beyond the necessity to which it owes its origin, or to conclude on any other conditions but those which, in his opinion, will contribute to secure to them the enjoyment of their tranquillity, their constitution, and their independence. GRENVILLE.

The French minister replied by a note, in which he combatted and disproved all the allegations of the British government; and which he concluded by renewing the formal proposition of a negotiation, and the offer of passports necessary to carry it into effect.

Paris, 28 *Nivose*, *An* 8.

The official note, dated Nivose 28, an 8, addressed to the minister of his Britannic Majesty, having been offered to the consideration of the First Consul of the French Republic, he remarked with surprise, that his Britannic Majesty relied on an opinion of the origin and consequence of the existing war, which is not altogether correct. So far from France having provoked it, from the very beginning of the revolution she has solemnly proclaimed her love of peace, her indisposition to conquest, her respect for the independence of all governments; and it is not to be doubted, that solely occupied with her own interior affairs, she had avoided to take part in those of Europe, and remained faithful to her declarations. But, by an opposite disposition, as soon as the French revolution had blazed forth, almost the whole of Europe leagued for its destruction; the aggression was in a state of operation long before it became public. Internal resistance was excited; opponents were received with favour; their armed re-unions were encouraged; their secret plots were tolerated; their extravagant de-

clarations were supported: the French nation was outraged in the persons of its agents, and England set the example in this particular, by the dismissal of the minister which she had accredited. In short, France was attacked in her independence, in her honour, and in her security, long before war was declared. It is to the projects of subjection, of dissolution and dismemberment, which have been prepared against her, and the execution of which has been frequently attempted and pursued, that France is entitled to impute the evils that she has suffered, as well as those which have afflicted Europe. Such projects, though they have been for a long time without example in such a powerful nation, could not fail to bring on the most fatal consequences. Assailed on all sides, the republic was obliged to direct on all sides the efforts necessary for its defence; and it was for the support of its independence that she has employed the means which were in her power, and the courage of her citizens. While she perceived that her enemies combined to despise her rights, she depended upon the energy of her resistance; but no sooner did they renounce the hope of seizing them, than she manifested a desire for peace; and if her endeavours have not always been efficacious, if in the midst of those circumstances which the revolution and the war have successively produced, the preceding depositaries of the executive authority in France, have not always practised moderation in the same proportion as the nation displayed its courage, it must be attributed to the fatal animosity with which the resources of England have been lavished to consummate the ruin of France. But if the wishes of his Britannic Majesty, as he assures us, accord with those of the French Republic, and are for the establishment of peace, why, instead of making an apology, does he not do his utmost to terminate it? and what obstacle is there to prevent a reconciliation, whose utility is general and acknowledged, above all, where the First Consul of the French Republic has personally given so many proofs of his eagerness to terminate the calamities war, and of his disposition to maintain a rigid observance of treaties already concluded? The First Consul of the French Republic cannot doubt that his Britannic Majesty will acknowledge the right of nations to change the form of their government, since it is the exercise of that right by which he holds his crown: but he cannot comprehend on what view of this fundamental principle, on which the very existence of political societies depend, the minister of his Britannic Majesty has been able to adopt that conduct which tends to interfere in the interior concerns of the public, and which is not less injurious for the French nation and its government, than it would be for England and his Britannic Majesty, as it might excite a disposition towards that republican system, whose forms were adopted by England in the last century; or operate as an exhortation to recall to the throne the family whom birth had placed on it, and a revolution compelled to descend from it. If, at no very distant period, and when the constitutional system of the republic possessed neither the force nor the solidity which it can boast at the present moment, his Britannic Majesty thought proper to propose conferences on the subject of peace, why is he not eager to renew negotiations to which the present and reciprocal state of affairs promises a rapid progress? On all sides the voice of humanity and the people implore the termination of a war already distinguished by such great disasters; and whose prolongation threatens Europe with an universal shock, and irremediable evils. It is then to arrest the course of these calamities; or that, at length, their terrible consequences should be imputed only to those who provoked them, that the First Consul of the French Republic proposes to put an immediate end to hostilities, in agreeing to a suspension of arms, and in naming, on both sides, plenipotentiaries who shall repair to Dunkirk, or any other town, not less conveniently situated for the rapidity of their respective communications, and who shall labour without any delay in re-establishing peace and a good understanding between the French Republic and England. The First Consul offers, on this occasion, to give the necessary passports.

CH. MAU. TALLEYRAND.

This note was followed by the ensuing reply from the English government:

Downing-street, 20th January, 1800.

The official note transmitted by the minister of foreign affairs in France- and received by the undersigned the 18th of the current month, has been submitted to the King. His Majesty cannot avoid expressing the impression he felt, observing that in this note, the unprovoked aggressions of France, which are the sole cause and origin of the war, are systematically defended by those who now govern it, under the same injurious pretexts by which they were originally attempted to be disguised. His Majesty will not enter into a refutation of allegations which are not generally developed, and which (inasmuch as they relate to the conduct of his Majesty) are not only in themselves altogether devoid of foundation, but equally contradicted both by the interior evidence of events, from which they spring, and by the formal testimony given at the time, by the government of France it-

self. With respect to the objects of the note, his Majesty must refer to the answer which he has already given. He has exposed, without reserve, the obstacles which, in his judgment, deprive the present moment of all hope of desiring any advantage from a negotiation. The motives to treat which are brought so forward, and on which so much confidence is placed in the French note, the personal dispositions which are there said to prevail for the conclusion of peace, and the future preservation of treaties, the power to affirm the effect of the dispositions which are supposed to exist, the solidity and continuance of the newly-established system, after such a rapid succession of revolutions; all these things are points which cannot be known but after the test which his Majesty has already required, the result of experience, and the evidence of facts. With this sentiment of sincerity of frankness and solicitude, for the very necessary establishment of peace, his Majesty has pointed out to France the most certain and prompt means to attain this end; but he has declared in terms equally explicit, and with the same sincerity, that he does not entertain a wish to prescribe to a foreign nation the form of its government; that his thoughts are alone directed to the surety of his own states and of Europe; and that at the first moment when, in his judgment, he can satisfactorily look forward, in any manner whatever, to attain the essential object, he will manifest an earnest desire to concert with his allies, the means of an immediate and general negotiation, for the re-establishment of the general tranquillity. His Majesty adheres firmly to these declarations, and it is only upon such bases, thus established, that his duty to maintain the security of his subjects, will allow him to renounce that vigorous system of defence, to which, under the favour of Providence, his kingdoms owe that security of their possessions which they at present enjoy. GRENVILLE.

There was now no occasion to continue this negotiation, since England did not conceal her intentions of waiting for those interior changes which she foresaw in France, before she would listen to overtures of peace. It was absolutely necessary, therefore, to continue the war: a general armistice between the French and Imperial armies was concluded in the month of Messidor. The preliminary articles of peace were even signed at Paris, between France and Austria, by the minister for foreign affairs on one part, and General St. Julien on the other: but England wishing still to retain Austria in her alliance, and entertaining the hope that, from the suspension of hostilities, she might extract some means of continuing the war, endeavoured to break the negotiations began at Paris, and to destroy the effect of the preliminaries signed by General St. Julien. To attain this object, England demanded to take a part in the negotiations; and Lord Minto presented at Vienna a note, which the Austrian minister immediately forwarded to Paris, and which is conceived in the following terms:

Vienna, 9th August, 1800.

The undersigned envoy extraordinary and minister plenipotentiary of his Britannic Majesty has not failed to transmit to his court, all the communications which have been made to him, by order of the Emperor, by his excellence the Baron de Thugot, relative to the correspondence which has taken place between his Imperial Majesty and the French government, respecting the overtures of peace. The undersigned is, in consequence, charged to testify the satisfaction that his Britannic Majesty has derived for this mark of confidence on the part of his Majesty I. and R. The undersigned does not delay, after the authority he has received, to declare, that his Britannic Majesty being anxious to give to the Emperor and to all Europe, the most evident proofs of his cordial and perfect union with his Majesty I. and R., and the value he attaches to the constant preservation of the good understanding and intimate friendship which are so happily established between their crowns and people, is disposed to concur with Austria in the negotiations which may take place for a general pacification: and to send his plenipotentiaries to treat of peace in concert with his Majesty I. and R., as soon as the intention of the French government to enter into a negotiation with his Britannic Majesty shall be made known to him.

MINTO.

The First Consul, though he might have mistaken the intention which dictated this tardy measure, gave it a very favourable interpretation. But to prevent the admission of England into the negotiations with the Court of Vienna, from being the occasion of delay, he required that England, before it became an integral part in a general negotiation, should previously agree to a suspension of hostilities with France, as was the case with Austria. This proposition was expressed in a note sent from Paris to Citizen Otto, commissary for the exchange of prisoners, and which he was to deliver, announcing at the same time, that he was furnished with the necessary powers and instructions to negotiate and conclude the proposed armistice. The terms were as follows:

London, 6th Fructidor, An 8.

His Imperial Majesty having communicated to the government of the French Republic, a note from Lord Minto, envoy ex

traordinary and minister plenipotentiary of his Britannic Majesty at the court of Vienna, by which note it appears to be the desire of his Britannic Majesty to see the war terminated which divides France and England, the undersigned is specially authorised to demand of the Ministers of his Majesty further explanations on the proposition transmitted by the court of Vienna; and as it appears impossible that, at the moment when Austria and England should take a common part in the negociations, France should be under a suspension of arms with Austria, and remain in a state of hostilities with England, the undersigned is equally authorised to propose that a general armistice should be concluded between the armies and fleets of the two states, adopting, with respect to places besieged or blockaded, measures similar to those which have been adopted in Germany; as at Ulm, Ingolstadt, and Philipsbourg. The undersigned has received from his government the necessary powers to negociate and conclude this general armistice. OTTO.

This note occasioned great emotion in the British cabinet. Before an official answer was given to citizen Otto, M. George, Commissioner of the Transport Office, was sent to him, to ascertain his powers, and to enter upon a preliminary discussion with him on the elements of the negociation. It was in these conferences that M. Otto stated, that the negociations for peace would be held at Luneville; and repeated, that the British plenipotentiary would be admitted to them as soon as it was agreed that there should be a suspension of arms between France and England; which should be founded on that now existing between France and Austria, and be reduced to the following conditions:

Article 1. There shall be a suspension of hostilities between the fleets and armies of the French Republic and those of Great Britain. 2. The ships of war and all trading vessels of both nations shall freely navigate without being subject to any visit, and follow the usage established before the war. 3. After the 10th Fructidor, all the vessels of both nations which may be taken shall be restored. 4. Malta, Alexandria, and Belle Isle, shall be assimilated to Ulm, Philipsbourg, and Ingolstadt; that is to say, that all trading vessels, neutral or French, may take provisions thither. 5. The fleets which block Brest, Cadiz, Toulon, and Flessingue, shall re-enter into the ports of England; or, at least, keep cruising from the view of the coast. 6. English officers shall be dispatched directly to the three admirals who respectively command in the Mediterranean, the fleet before Malta, and the blockade of Alexandia. They shall traverse France to arrive the sooner at their destination. 7. Spain and the Batavian Republic are comprised in the present armistice.

This proposition certainly bore sufficient testimony of the most open and liberal dispositions towards a prompt conciliation: but it appeared that the British government had not at that period, the design to enter seriously into negociation, and that its only object was to gain time for Austria: for citizen Otto having insisted on an official answer, received the following note from Lord Grenville:

Downing-street, 29th August, 1800.

M. Otto having informed his Majesty's government that the proposition made by the court of Vienna to fix at Luneville, the conferences for the proposed negociation respecting a general peace had been acceded to by the French government, nothing remains at present but to express the consent of his Majesty to that proposition; and to declare in consequence, that a person duly authorised will be sent to Luneville by order of his Majesty, to unite himself with the Plenipotentiaries of Austria and France, as soon as the passports for such a minister and his suite shall be received; provided that the French government should be disposed to make the necessary engagements, that the Plenipotentiary of his Majesty shall enjoy full liberty to communicate without restraint, and in the usual manner, by a courier with this country and those of his Majesty's allies.—As to the proposition for a general armistice by sea and by land between Great Britain and France, the King would rejoice at the moment, when he could with propriety adopt any measure whose immediate effect would be to put an end, at least for some time, to the calamities of war: but an armistice, applied to naval operations, having not in any instance been concluded between Great Britain and France, in the course of their negociations for peace, or before the actual signature of preliminaries, consequently, a similar step cannot be considered as necessary to negociations; and from the disputes which would inevitably arise respecting its execution, there is every reason to fear, that it would serve rather to obstruct than facilitate the success of those efforts which the two governments might make for the restoration of peace. Besides, it must be considered that the circumstances which accompany a naval war, are evidently not of a nature to admit of those nicely balanced arrangements, which are so readily established with regard to military operations, where the latter are suspended by a convention. It appears, then, at all events, to be premature to enter even into a discussion on this question, till, from the course of negociations, it may more clearly appear, that a satisfactory result may follow. But at all events, there can be

no positive decision on this point, till the French government has explained in what manner the principles of those regulations adopted in the German armistice, with respect to France, in an actual state of blockade, are applicable to the ports and maritime arsenals of France, and its allies, actually blockaded by his Majesty's squadrons; so that stipulations analogous to those which have been made in regard to the military positions occupied by the armies in Germany and Italy, might be fairly applied to the maritime forces of the respective powers. GRENVILLE.

Thus, by this note the British government announced its intention of sending a plenipotentiary to Luneville; but, in the mean time, refused to agree to the proposed armistice. This arrangement was not admissible, and citizen Otto was charged to assign his reasons by this note, which was sent to him from Paris:

London, 17th Fructidor, An 8.

The undersigned, having communicated to his government the note dated the 29th of August, which his excellency, Lord Grenville had transmitted to him, is directed to submit to his excellency the following observations: The preliminaries of peace had been concluded and signed between his Imperial Majesty and the French republic, the intervention of Lord Minto, who demanded that his court might be admitted to take part in the nogociations, has prevented their ratification by his Imperial Majesty. The suspension of arms which took place on the continent, in the hope of a speedy peace, between the emperor and the Republic, will cease in effect the 24th Fructidor, since the Republic had sacrificed to the hopes of an immediate peace the immense advantages which it had derived from its victories. The intervention of England renders the question of peace with Austria so complicated, that it is impossible for the French government to prolong any further the armistice on the continent; unless his Britannic Majesty consents to render it common between the three powers. If then the Cabinet of St. James's continues to make common cause with Austria; and if its desire to engage in the negociation be sincere, his Britannic Majesty will not hesitate to adopt the proposed armistice. But if this armistice be not concluded before the 24th of Fructidor, hostilities will be renewed with Austria, and the First Consul will not consent with respect to that power, to any thing short of a complete and separate peace. To answer the explanations required relative to the armistice, the undersigned is directed to make known to his excellency, that the places which it is proposed to assimilate to those of Germany, are Malta and the maritime towns of Egypt. If it be true that a long suspension of arms between France and England would be unfavorable to his Britannic Majesty; an armistice on the Continent would be of essential disadvantage to the French Republic; at the same time a maritime armistice would be, to the French government, a pledge of the zeal of England to concur in the re-establishment of peace; and a continental armistice would convince the English government, that the efforts of France were sincere; and as the position of Austria is now become such as to require a prompt conclusion, the three powers would find, in their distinct interests, predominating reasons to consent without delay to those sacrifices, which may be reciprocally necessary to produce the speedy conclusion of their general and solid peace, which is the wish and hope of the whole world. OTTO.

The reasonings of this note were explicit, and the consequences demanded reflection. If England did not consent to sign a special armistice with France, that which existed with Austria, and was about to expire, would not be renewed. Austria, having no further means of resistance, must yield, and the peace would be concluded between France and Germany, without the intervention of England. The British government was sensible of the danger, but whether it did not receive a sufficient impression, or whether it thought that it had done enough, in manifesting for the court of Vienna, the appearances of an active friendship, without being found to give any further proofs; and contented itself with presenting, at the conclusion of a note extremely diffuse, the contre-projet of an armistice, from which none of those advantages would result to France, which she had a right to expect as a compensation for those which Austria would derive from the continental armistice: the note and the contre-project were conceived in the following terms:

Downing-street, 7th September, 1800.

The undersigned has had the honour to lay before the King the official answer of the French government, which he received from M. Otto on the 4th instant; and also the project of of an armistice communicated on the same day. The spirit of that answer is unhappily but little consonant with those appearances of a conciliatory disposition which had before been manifested. If it be really practicable in the present moment to restore permanent tranquillity to Europe, this object must be effected by very different means than those of such a controversy as that paper is calculated to produce. Some reply is, however, indispensably necessary to the assertions there advanced, which if now passed

over might hereafter be considered as admitted. The articles which an Austrian officer charged with no such commission, was persuaded to sign at Paris, do indeed appear to his Majesty but little calculated to terminate the calamities of Europe. But whatever be the tendency of the conditions which the French government has here specified, there can be no pretence for representing them as preliminaries concluded by Austria, or annulled by the intervention of his Majesty. The engagements by which the courts of London and Vienna have agreed not to treat except in concert with each other, were concluded before there was any question of these pretended preliminaries of peace. And the first intimations which his Majesty received of their signature were accompanied by the express declarations of his ally, that they were wholly unauthorized, and must be considered as absolutely null. The French government could indeed expect no other determination to be taken by his Imperial Majesty. The want of all powers or instructions for such a treaty, on the part of the Austrian officer, was at the time distinctly notified by him to those who treated with him, and is declared even on the very face of the paper which he signed. With respect, therefore, to the supposed demand of his Majesty to be admitted to those negotiations, nothing more is necessary to be said. The note delivered to M. de Thugot by Lord Minto, sufficiently explains the part which his Majesty is really disposed to take in any negotiation which may be regularly set on foot for general peace. The King has always been persuaded that the result of such a negotiation can alone effectually re-establish the tranquillity of Europe. Experience has confirmed this opinion; and it is only from the conviction of its truth that his Majesty has now been induced to waive his strong objections to the first proposal of a naval armistice, and to enter into the discussion of the conditions on which it may be established. His Majesty, judging from the experience of so many former negotiations, considers such an armistice as in no degree likely either to expedite or facilitate an arrangement of the direct interests of Great Britain and France. He views it in no other light than as a temporary advantage which it is proposed to him to yield to his enemy, in order to prevent the renewal of continental hostilities, and thereby to contribute to the conclusion of a general peace. And on this ground, notwithstanding the many disadvantages which he is sensible must result to this country from such a measure, he is resolved to give to his allies and to all Europe this new pledge of the sentiments by which he is actuated; provided that his enemies are disposed to regulate the conditions of such an armistice, as far as the nature of the case will allow, in conformity to the obvious and established principle of such arrangements. This principle is, that the respective position of the two parties should remain during the continuance of the armistice such as it was at its commencement; and that neither of them should by its operation acquire fresh advantages or new means of annoying his enemy, such as he could not otherwise obtain. The difficulty of doing this with the same precision in the case of naval operations, as by land, has already been adverted to in a former note; and it constitutes a leading objection to the measure itself. But the French projet, instead of attempting to remove or lessen these difficulties, departs at once, and in every article, from the principle itself, although expressly recognized and studiously maintained in the continental armistice which is there referred to as the foundation and model of this transaction. It is proposed, in effect, that the blockade of the naval ports and arsenals of the King's enemies should be raised; that they should be enabled to remove their fleets to any other stations, and to divide or to collect their force as they may judge most advantageous to their future plans: the importation both of provisions and of naval and military stores is to be wholly unrestrained. Even Malta and the ports of Egypt, though expressly stated to be now blockaded, are to be freely victualled, and for an unlimited period, in direct contradiction to the stipulations of the German armistice respecting Ulm and Ingolstadt, to which places it is nevertheless professed to assimilate them; and this government is expected to bind itself towards the allies of France even before any reciprocal engagements can be received from them; while, at the same time, all mention of the King's allies is, on the other hand, totally omitted. To a proposal so manifestly repugnant to justice and equality, and so injurious not only to his Majesty's interests, but also to those of his allies, it cannot be expected that any motive should induce the King to accede. The counter-projet which the undersigned has the honour to transmit to M. Otto, contains regulations in this respect more nearly corresponding with that principle of equality on which alone his Majesty can consent to treat. Even those articles are, in many important points, and particularly in what relates to the actual stations of his Majesty's squadrons, very far short of what his Majesty might justly demand from a reference to the general principle above stated, from analogy to the conditions of the continental armistice, or from the relative situation of naval force; and a confidence is re-

posed in the good faith of his enemies, which, although it can never be claimed in transactions between belligerent powers, his Majesty is, nevertheless, willing to hope he shall not find to have been misplaced on the present occasion. If M. Otto is empowered to accede to these stipulations, a proper person will immedsately be authorized to sign them on his Majesty's part; if not, he is requested to transmit them, without delay, to his government.

GRENVILLE.

COUNTER-PROJET.—It having been agreed that negotiations for a general peace shall be immediately set on foot between the Emperor of Germany, his Britannic Majesty, and the French Republic, and an armistice having already been concluded between the forces of his Imperial Majesty and those of the French Republic, it is agreed that an armistice shall also take place between the forces of his Britannic Majesty and those of the French Republic, on the terms and in the manner following: that is to say—Art. I. All hostilities, both by sea and land, between the forces of the two contracting parties, shall be suspended, and shall not be renewed until after fourteen days notice given of the termination of the armistice. This notice, in so far as relates to the parts of Europe north of Cape St. Vincent, must be given by one of the two governments to the other, and is to be reckoned from the day in which the same shall be received by the government to whom it is given. In the Mediterranean or other parts of the world, the notice must be given by the respective commanding officers. But in case of the renewal of hostilities between Austria and France, the armistice between Great Britain and France is likewise to be considered as terminated, so soon as such renewal of hostilities shall be known to the officer commanding the British forces: except only in so far as relates to prizes of merchant vessels, which shall be regulated by the third article of this convention. II. Orders shall immediately be sent by the two governments to their officers in the different parts of the world, to conform themselves to this agreement; sea-passes shall be given to the ships which are to carry these orders; and his Britannic Majesty's officers to be sent for that purpose through France, shall be furnished with the necessary passports and facilities to expedite their journey. III. All prizes made in any part of the world, during the continuance and operation of the armistice, by any officers having actually received due notice of this agreement, shall be restored; and generally, whether such notice shall have been received or not, all prizes made in the Channel, or in the North Seas, after twelve days (to be reckoned from the exchange of the ratifications of this convention), shall be restored: and the same periods shall be allowed in this respect for the other parts of the world, as were stipulated by the 22d article of the preliminaries of the last peace. IV. Malta, and the maritime towns and ports of Egypt, shall be placed on the same footing as those places which, though comprized within the demarkation of the French army in Germany, are occupied by the Austrian troops: consequently, nothing shall be admitted by sea which can give additional means of defence; and provisions only for fourteen days at a time, in proportion to the consumption, as it shall be ascertained by commissaries to be named for the purpose, who shall have power to establish the necessary regulations for giving effect to this stipulation, conformably to the principles of the 4th article of the convention concluded between the Austrian and French generals in Germany. V. The blockade of Brest, Toulon, and any other of the ports of France by his Majesty's fleets, shall be discontinued; and all British ships shall be instructed not to interrupt or obstruct the trade or navigation of any ships sailing to or from the coasts of France, except in the article of naval or military stores, which are not to be brought thither by sea during the present armistice. None of the ships of war now stationed in the said ports respectively shall, before the renewal of hostilities, be removed to any other station. VI. The allies of the two parties shall severally be at liberty to accede to this armistice, if they so think fit; provided that they also engage to observe a like armistice, on conditions similar to those here specified, towards such of the allies on the other side as shall also accede to it. The periods or terms to be fixed for the commencement of the armistice in the different quarters of the world, as with respect to each of the said allies, are to be regulated in conformity to the stipulations contained in the 3d article of this convention as between Great Britain and France; and the said periods or terms are to be reckoned from the day on which the accession of such power to the armistice shall have been duly notified by such power to the party with whom it is at war. Such notification, duly authenticated by the government on whose part it is made, may either be transmitted directly by couriers or flags of truce, or through the channel of the two contracting parties, to each other reciprocally. The naval ports and arsenals of the allies of France are, during such armistice, to be placed on the same footing with those of France; and the notices which are to precede the renewal of hostilities, as well as all other matters relating to such armistice, are to be regulated

according to the terms of this convention. VII. This convention shall be ratified, and the ratifications shall be exchanged within the term of ten days, or sooner, if the same be practicable.

To remedy the defects of this counter-projet, Citizen Otto was directed to present the following note, with a new projet for an armistice, in which the cabinet was studious to insert all the stipulations of the English projet, which were compatible with the interests of France.

London, 24th Fructidor, An 8.

The undersigned having transmitted to his government the note of his excellency Lord Grenville, dated the 7th of September, with the counter-projet which accompanied it, it appeared to the First Consul, that the armistice, as it was proposed by the British government, was so contrived, as not to offer any advantage to the French Republic; and, consequently, could not compensate to it for the serious inconveniences which would result to it from the continuation of the continental armistice. Whence it follows, that the counter-projet could only be admitted, as the question might simply be to settle the preliminaries of a particular arrangement between France and England, by a truce alike particular to the two states: but the effect of the proposed maritime truce, being intended to serve as a compensation to the French Republic for the continental truce, the former ought to afford it advantages equal to the inconveniences which it derives from the latter. The undersigned is therefore directed to make two proposals, of which his Britannic Majesty may choose that may appear to him most consonant to the interest of his dominions, or to his continental relations. The first is, that the projet for an armistice be drawn up and admitted in terms analagous to those which have been proposed by the ministry of his Britannic Majesty, but solely under the supposition that this armistice should be independent of the events of the continent, and relative only to a separate negotiation to be immediately opened between the two powers. The second is, that his Britannic Majesty should continue to make common cause with the Emperor, but that, in that case, he should consent that the maritime truce may offer to the French Republic advantages equal to those secured to the House of Austria by the continental truce. And with this view the comparison may be easily settled. By the continental armistice the Court of Vienna acquires the means of re-organizing its armies, of converting into men, arms, ammunition of every kind, the subsidies paid to it by England; of fortifying and victualling its places of the second and third line which were in a bad state, in consequence of the rapid march of the French armies having not been foreseen. Thus Asoppo, Palmanova, Venice, Verona, and Lintz, had been neglected; every day their fortifications are repairing. Ulm, Ingoldstadt, although blockaded, are improving their means of defence; and it is the armistice which procures to them this advantage; for at the moment when those places were invested, the enemy thought only of besieging ours, and consequently their own were not prepared for so early an attack. By the continental armistice, the impression made by the victories of the French armies diminish, their effects are weakened. Six months of repose would suffice to restore the moral and physical strength of the Austrian armies; to allow the conquered to recover from the impression of ascendancy acquired by the conquerors, and to make it necessary once more to regain that contingent superiority so well earned by the republic. It would also follow as a consequence of the continental armistice, that the kingdom of Naples, now a prey to every kind of calamity, and containing all the seeds of insurrection, might be re-organized, and furnish fresh resources to the enemies of France. It is by means of the armistice, in a word, that men are raising in Tuscany and in the marshes of Angona, that Austria is every where preparing new means of defence; that every where she is meliorating her position, which perhaps was desperate, whilst the advantages of the republic are diminishing or disappearing. The First Consul has already made to the love of peace a sufficiently great sacrifice of those advantages: if he should continue to derive no benefit from them, it would no longer be moderation, but weakness; it would no longer be the means of arriving at the conclusion of peace, but that of perpetuating the war. Perhaps in the judgment of statesmen, the French government may have already too long delayed to avail itself of the contingency which was favourable to it; but it has only done so upon the positive assurances which had been given to it of a speedy and separate peace. At this moment, when the two allied courts insist upon a joint negotiation and a general peace, the French government is too well aware that so complicated a work is not to be accomplished in a few days, and it ought to avoid putting itself in a position which would be diametrically opposite to the acceleration of the negotiations, by giving to the inimical powers, and principally to Austria, a real interest to prolong the discussions, in order daily to acquire the means of appearing with greater advantage in the field of battle, and

consequently with greater pretensions at the congress. It is with the view of avoiding, in part, so manifest an inconvenience, that France requires that the maritime armistice should be stipulated in such a manner as to be equivalent to the continental armistice, and as to place England, on its side, in the situation of being desirous of the conclusion of peace. The advantages which the republic can and ought to expect from the naval armistice are, the free navigation of her ships, and the facilities necessary for her communications with Egypt, the isles of France and Reunion, and with her American colonies: and although she should make use of it to send a few thousand men more to Egypt, do not the places belonging to the Emperor daily acquire, in like manner, fresh strength upon the continent? With respect to the victualling the harbours of the French Republic itself, internal means of circulation are not wanting; and this object is but of small importance to it. When the British government proposes that the harbours and places blockaded should only receive provisions for fourteen days, is it aware that the greater part of those establishments are still far from wanting provisions? and besides that, the season is drawing near, which, by rendering a naval blockade almost always illusory, makes the proposed favour quite useless. That if, besides, it be considered how little it is the interest of Great Britain, if it be sincerely desirous of peace, to prevent France from preserving and consolidating the small number which remain to her of foreign settlements, and how much England, by making new acquisitions of this nature, would augment still farther the uneasiness and jealousy of Europe; and the disposition which it evinces not to see with indifference the unlimited extension of the power and commerce of England, it will be acknowledged, at the same time, that the advantages to be derived to the French Republic from a maritime truce are admitted, that this truce would not be so very disadvantageous to England as her government appears to imagine. The undersigned is consequently directed to refer Lord Grenville to the double proposition contained in the present note. If a separate negotiation and peace be the object of the armistice, they may be agreed to in the form in which it is proposed by the ministry of his Britannic Majesty. If a joint negotiation and a general peace be the object, the armistice must be stipulated in the manner proposed by the French government, and as it will be subsequently detailed by the undersigned. OTTO.

PROJET.—In consideration of its having been agreed that negotiations for a general peace should be immediately opened between the French Republic and its allies, on the one side, and his Imperial Majesty, his Britannic Majesty, and their allies, on the other side, and the armistice which has already been concluded between the armies of the French Republic and those of his Imperial Majesty may be prolonged, if an equivalent armistice should be concluded between the forces of the French Republic and those of his Britannic Majesty, the two governments have agreed to conclude the said armistice upon the following conditions:—Art. I. All hostilities both by sea and land between the two nations shall be suspended, and shall not be renewed until after a month's notification prior to the end of the armistice. In all parts of the world the armistice shall not be broken without the express order of the contracting governments; and hostilities shall not be renewed until a month after the notification which may have been given by the general or commanding officer of one of the two nations to that of the other nation. II. Orders shall be immediately transmitted by the two governments to the commanding officers in the several parts of the world, directing them to act in conformity with this convention. Passports shall be given to the persons who shall carry out these orders: and the officers of his Britannic Majesty who shall travel through France for this purpose shall receive safe-conducts, and the necessary facilities for accelerating their journey. III. All prizes made in any part of the world, during the continuance of the armistice, by any officer having actually received the notification of this convention, shall be restored: and generally (whether this notification shall have been made or not), all prizes made in the Channel, or in the North Seas, after twelve days, to be computed from the exchange of the ratifications of this convention, shall be restored; and in regard to this object, the terms shall be fixed for the other parts of the world conformably to the stipulations of the 22d article of the preliminaries of the last peace; whence it results, that, computing from the day of the said exchange, all trading vessels of either nation shall have the power of putting out to sea, and of navigating freely as before the war. IV. Malta and Egypt shall be assimilated to the places in Germany, which, although blockaded by the French army, have been permitted to enjoy the benefit of the continental armistice. Malta shall be furnished with provisions for fifteen days at a time, at the rate of ten thousand rations per diem. With regard to Egypt, six French frigates shall have the liberty of sailing from Toulon, of unlading at Alexandria, and of returning without being searc-

ed, and without suffering any opposition during their passage, either from English ships, or from those of the allies of Great Britain. An English officer of rank shall, for this purpose, embark on board one of the frigates, and shall travel through France on his way to Toulon. V. The blockade of Brest, of Toulon, and of every other French port, shall be raised; and all British captains shall receive instructions not to interrupt the trade of any vessel either entering therein or going out thereof. No ship of the line, however, of two or three decks, actually at anchor in the said ports, shall be at liberty to go out before the renewal of hostilities, for the purpose of changing its station; but frigates, sloops, and other small ships of war, may freely go out and navigate; and in the event of their meeting at sea with ships belonging to his Britannic Majesty, they shall observe the customs established before the war. VI. The land forces in the pay of his Britannic Majesty shall not have the power of disembarking in any port of Italy during the continuance of the present armistice. VII. The allies of France, namely, Spain, the Batavian Republic, and Genoa, shall participate in the benefit of the present armistice. (If his Britannic Majesty insist upon including his allies in the armistice, they shall enjoy the same advantages with those of France). VIII. The present convention shall be ratified, and the ratifications shall be exchanged, in the space of ten days, or sooner, if it should be possible.

The First Consul, who would suffer no means to escape that might lead to a conciliation, made a double proposition. If England wished to engage in the common negotiation with Austria, he required that she should accede to the armistice which was proposed to her, on the consideration that there was but this way to establish some resemblance between the respective relations of the contracting powers, and to communicate to each the desire and the necessity of coming to a conclusion. If, on the contrary, England preferred entering into a separate negotiation with France, the first Consul would accept the projet for an armistice presented by the British ministry. What could he do more? Did he not give a new proof of his conciliatory disposition in delaying for eight days the renewal of hostilities against Austria? So much moderation, attention, and even complaisance, had no other effect than that of producing, on the part of the British government, the following official answer:

Downing-street, 20*th Sept.* 1800.

The note enclosed in M. Otto's letter of the 16th instant, has been laid before the King. His Majesty has not seen in that paper any fresh suggestions on the subject of a naval armistice which can at all vary the answer transmitted to M. Otto on the 7th instant. Nither his Majesty's known engagements to his allies, nor his desire, so recently expressed, to contribute to the restoration of general tranquillity in Europe, will admit of his separating his interests from those of the powers with whom he is connected in the prosecution of the war; much less could he entertain the idea of consenting, for such a purpose, to any naval armistice; a measure which he has already declared to be totally inapplicable to a separate discussion of the interests of Great Britain and France. This proposal being, therefore, one which the French government must have known that his Majesty could not accept, the supposed alternative professed to be offered to his Majesty's choice, amounts to nothing more than to the simple renewal of a demand already rejected. No fresh inducement is stated which should now dispose his Majesty to consent to those conditions of armistice for joint negotiations which he had before considered as wholly inadmissible. From information received since the last communications on this subject took place, his Majesty has observed, with equal surprise and concern, that the orders for giving notice of the termination of the continental armistice must actually have been dispatched from Paris at the very time when the continuance of that armistice was proposed to his Majesty as the condition and inducement for a maritime truce: and if in addition to this circumstance his Majesty were to collect the present dispositions of his enemies from the terms respecting his conduct and views with which their recent communications with his allies are filled, the conclusion must be extremely unfavourable to the existence of any disposition to conciliation. His Majesty is, however, still willing to waive all reference to these considerations, and to regulate his conduct by the motives which he has already explained. He still looks, therefore, to a naval armistice on suitable conditions, as to a sacrifice which he may be induced to make in order to prevent the renewal of hostilities on the continent, and thereby to facilitate those joint negotiations for general peace which might perhaps be accelerated by such an arrangement, although they are by no means necessarily dependant on it. But when it is required that the extent of the sacrifice which his Majesty is to make should be regulated neither by any fair standard of equality, nor by the ordinary rules which govern such transactions; when, without any reference to the interests of his own people, he is called upon to proportion his concessions to the ex-

aggerated estimates which his enemies have formed of the benefits derived to his allies from the continental armistice; and when, on such grounds as these, conditions are insisted on which even these could not warrant, it becomes necessary to state distinctly that his Majesty neither recognizes this principle, nor, if he did, could he agree in this application of it. His Majesty is not, indeed, called upon to appreciate the relative advantages which the prolongation of the continental armistice might really afford to each of the belligerent powers; but even of those circumstances which are enumerated by the French government as exclusively advantageous to Austria, many are evidently beneficial to both parties, and are so nearly to an equal extent. If, during the interval of repose which has already elapsed, the Austrian armies have been re-established, recruited, and reinforced, France has not been inattentive to the same measures. If the subsidies which his Majesty has furnished are applied by his ally to the formation or transport of magazines, France has appropriated to similar purposes the rigorous contributions exacted from those countries which the existence of an armistice has not exempted from that calamity. The places in the rear of the Austrian army have been repaired; but the position of the French armies has also been strengthened; and even the blockaded towns may perhaps suffer more from the increased length of the blockade, than they can profit by any internal measures for improving their defence. Into other points of comparison his Majesty forbears to enter. No part of the varied successes of the continental war appears to him to entitle his enemies to presume on any ascendant over the spirit of the Austrian armies. But were the assertions of the French government in these respects better grounded than his Majesty conceives them to be, the principle itself would still be inadmissible. It is impossible that his Majesty can admit that compensation is to be demanded from him for the extent of those advantages, whatever they may really be, which his ally might derive from the continuance of the armistice; yet even such compensation is in a great degree offered by his Majesty. In consenting to a naval armistice on such terms as have already been acceded to on his Majesty's part, he has made considerable sacrifices, and placed within the reach of his enemies great and obvious advantages which their representation in vain endeavours to depreciate; he has thereby given to all Europe a strong pledge of his concern for the general welfare, and to his enemies a decided proof of pacific disposition. But to yield to the present demand, would be to sacrifice those means of present defence, and those pledges of future security, which have been acquired by such great and memorable efforts, and which he can never be expected to forego till the result of those negotiations, in which he has declared his readiness to concur, shall have crowned his endeavours for the happiness of his people by the restoration of safe and honourable peace.

GRENVILLE.

This note, so far from offering a suitable decision on the question of the maritime armistice, contained nothing but difficulties and assertions, which it was the duty of Citizen Otto to refute without delay, after the provident and detailed instructions that he has received from Paris. This was the object of the following note:

Hereford-street, 1st Vendimiaire, An 9.

During the whole course of the negotiation with which the undersigned has been charged, he has had cause to regret that the want of more direct communications with his Majesty's ministry has rendered it impossible for him to give to his official overtures the necessary explanations. This inconvenience is rendered still more striking by the result of his last communications, to which the note which he had the honour to receive on the 20th of this month is an answer. The first part of this note appearing to intimate a doubt respecting the sincerity of the dispositions of the French government to begin negotiations for a general peace, the undersigned cannot avoid entering into some details upon this subject, which will fully justify the conduct of the First Consul. The proposed alternative of a *separate* peace, in the event of his Majesty's not accepting the conditions for a general armistice, far from evincing a want of sincerity, furnishes, on the contrary, the strongest proof of the conciliatory dispositions of the First Consul: it is a necessary consequence of the declaration made by the undersigned the 4th of this month. In effect, he has had the honour to apprize the British ministry, that if that armistice be not concluded before the 11th of September, hostilities *will have been* renewed with Austria, and that in that case the First Consul will no longer be able, with regard to this power, to consent to any except a separate and complete peace. That armistice was not concluded at the date fixed upon; it was therefore natural eventually to expect *a separate peace with Austria*, and according to the same supposition, a peace in like manner *separate with Great Britain*, unless it is thought that the calamities with which a great part of Europe has been for eight years past oppressed, should be continued without other hope of termination than that of the complete

destruction of one of the belligerent powers. It is not therefore the French government which proposes to his Majesty to separate his interests from those of his allies; but having in vain attempted to unite them in a common centre, and finding them separated *in fact* by the refusal of England to lay down on the altar of peace some special advantages of which France had already made a sacrifice, the First Consul has given a fresh proof of his dispositions, by pointing out another means of reconciliation which the course of events will bring about sooner or later. In conformity with the advice which the undersigned had transmitted on the 4th of this month, notification was given of the cessation of the continental armistice at the term which had been fixed upon; but the counter-projet of the British ministry, dispatched by the undersigned upon the 8th of this month, having reached Paris on the 10th, and his Imperial Majesty having appeared to be convinced that his ally would not withhold his consent to an admissible armistice, the First Consul determined again to retard for eight days the renewal of hostilities. Orders were immediately dispatched to the armies of Germany and Italy, and in the event of those orders arriving too late in the last-mentioned country, and of the French generals having obtained successes in consequence of any military operation, they are ordered to resume that position which they occupied on the precise day on which hostilities were recommenced. The simple relation of these facts will, without doubt, be sufficient to prove that the French government never can have intended to cover, by pretended negotiations, a fresh attack upon Austria; and that, on the contrary, it has acted throughout this negotiation with that frankness and loyalty which can alone ensure that re-establishment of general tranquillity which his Majesty and his ministers have so much at heart. It would be in vain to look for proofs of a contrary intention in some expressions contained in the official communications of the French government to the allies of his Majesty; more especially if such proofs were attempted to be drawn from one of the last letters written to Baron Thugut, which the undersigned might have communicated himself, if he had found an opportunity. That letter would prove, that the French government, always a friend to peace, appeared to complain of the intentions of Great Britain only because it had every reason to believe them contrary to a solid system of pacification. The undersigned has entered into these details only because, on the eve of negotiations which may be entered upon, it is of importance to the councils of the two powers to be reciprocally convinced of the sincerity of their intentions, and because the opinion which they may have of that sincerity is the only pledge for the success of the negotiations. With respect to the second point in the note which the undersigned has had the honour of receiving, he is to refer to his letter of the 16th, in which he informed his excellency Lord Grenville, that he was directed to give *satisfactory explanations* relative to the principal objections of the British government to the proposed armistice, and entreated him, at the same time, to facilitate the means of verbal communications with the ministry. It was therefore difficult to believe that the French government would adhere, without *any modification*, to its first overtures; for in that case it would have been quite useless to solicit for an interview, in order to give satisfactory explanations. In speaking of the compensations requisite, in order to place the naval armistice upon a footing with the continental truce, his Majesty's ministry think that there is some preponderance in the balance settled by the French government. A formal discussion upon this point would undoubtedly be displaced, after the various successes of a war which has produced so many extraordinary events. It is difficult to doubt of the moral influence of those events upon armies, upon nations, upon governments themselves; and the deductions which may be drawn from it at present, appear to justify the opinion which the undersigned has felt it his duty to state. If there be any exaggeration in this opinion, it is shared with the enemies of the republic themselves, who have employed every effort to prolong the truce, and who have not scrupled to use the means of pretended negotiations in order to gain time. The preliminaries signed by Count de St. Julien, and disavowed by his court, are a memorable example of this; and the prolongation of the continental armistice must necessarily be considered as a sacrifice on the part of the republic, since every effort has been employed to extort its consent to it. But even whilst his Majesty's ministry admit the existence of this sacrifice, they formally declare that an analogous sacrifice cannot be expected to be made on the part of his Majesty. It certainly does not become France to judge how far his Majesty's engagements with his allies may counteract his inclination in this respect; but France appears to have certainly an undoubted right to demand the price of the sacrifice which she has made, and which she is still willing to make. The First Consul has given to Europe repeated pledges of his pacific dispositions; he has never ceased manifesting them to the cabinets interested in this contest; and even al-

though the hopes of the enemies of the French Republic should be excited by his moderation, it shall always be the sole guide of his actions. Notwithstanding this difference in the manner of viewing several questions accessory and preliminary to the proposed pacification, the undersigned cannot but congratulate himself on finding, in all the communications which he has hitherto had the honour of receiving, the same assurances of his Majesty's disposition to employ his efforts towards the re-establishment of the tranquillity of Europe, and he will neglect no opportunity of placing this disposition in its strongest light to his government. OTTO.

Lord Grenville replied in the following manner:—

Downing-street, Sept. 25, 1800.

It is by no means the wish of the British government to prolong a written controversy on the circumstances to which the first part of M. Otto's note of the 23d inst. principally relates; it is however necessary, in order to vindicate the accuracy of the former statement which the undersigned was directed to make, that the dates of those facts should, in reply to M. Otto's note, be more particularly detailed; but this will be done without adding any fresh comment upon them. The first proposal made to his Majesty, on the part of France, for a naval armistice grounded on that of the continent, was dated on the 24th of August. The notices for terminating the continental armistice were given by the French generals on the 27th and 29th of August; the orders for that purpose must therefore have been actually sent from Paris before the 24th. His Majesty's answer was transmitted by the undersigned to M. Otto on the 29th, the very day on which the last of the notices was given in Germany. That answer referred to the Austrian armistice as still existing; and it was not till the 4th of September that the first intimation was received here of the measures taken in Germany for giving notice of its termination.—With respect to the letter of M. Talleyrand to Baron de Thugut, to which M. Otto refers, it was also dated the 24th August. The French government, so far from being at that time entitled to consider his Majesty's intentions as hostile to the re-establishment of a solid system of pacification, was then actually in possession of the notification given in his Majesty's name, through his ally, of his readiness to concur in immediate negociations for that very purpose. It will be with real pleasure that his Majesty will see the conclusions which appeared to him to result from these facts disproved by the event. The best evidence which the French government can now give of the sincerity of its dispositions for peace, will be found in the facilities it may afford for expediting both the commencement and the successful termination of that negotiation into which the King and his ally the Emperor of Germany have already expressed their willingness to enter, and which can alone, by a general and comprehensive arrangement of the interests of all the parties concerned in this extensive war, afford to Europe the hope of solid and permanent tranquillity. With respect to the supposed case, in which it is stated, that France would not agree to treat with Austria but for a separate peace, the fortune of war can alone decide on the means of realizing such a pretension; but whenever it shall be insisted on by France, after the experience of what has already passed, it will afford to all other powers, not a presumption only, but the painful and decided conviction, that the French government has no real desire to put a final and conclusive period to the calamities of Europe. No man who considers the past events of this contest with attention, or who is capable of judging with accuracy of the present situation of affairs, can believe that, if the present war is to be terminated only by a succession of separate treaties between the different powers now engaged in it, any permanent or solid basis of general tranquillity could be established. As his Majesty has, in compliance with M. Otto's wishes, authorised a proper person to confer with him respecting the different proposals for a naval armistice, it is unnecessary to add any thing here on that subject. This step affords a new proof of his Majesty's dispositions to lend himself to every reasonable facility which can contribute to a general pacification, and every part of his Majesty's conduct will be found conformable to those dispositions. GRENVILLE.

The negociation relative to the maritime armistice must now be considered as, in a great measure, broken off; and, on both sides, an end was put to those discussions, which were rendered useless by the rapid succession of military events, as well as by the conclusion of a treaty of peace at Luneville, between France and the Emperor, 20th Prairial, An 9.—On the 29th of this month Citizen Otto transmitted, from London, the first account of the dismissal of Messrs. Pitt, Dundas, and Grenville. One of the first acts of the new ministry was to revoke the orders which had been issued against the fishing-boats, by their predecessors, which was the only answer given to the note sent by Citizen Otto, according to the orders of his Cabinet. It now appeared, that Messrs. Addington, Hawkesbury, and the other members of the new ministry, were disposed to

renew the negotiations for the restoration of peace so often broken off by their predecessors; and on the 29th Ventose, Lord Hawkesbury transmitted to Citizen Otto the following note:—

London, 21st March, 1801.

The undersigned has received the commands of the King, to communicate to the French government the dispositions of his Majesty immediately to enter on negotiations for the restoration of peace, and to declare that his Majesty is ready to send to Paris, or any other suitable place, a minister fully authorised to give every necessary explanation, as well as to negociate and conclude, in the name of his Majesty, a treaty between this country and France. HAWKESBURY.

The First Consul, whose dispositions for peace had not changed for a moment, eagerly received this overture; but, convinced more than ever, that, in the complication of interests which a war of eight years had so strangely perplexed, a pompous negotiation was not calculated to produce a prompt re-establishment of peace, he directed Citizen Otto to present the following note, in which he proposed, previously, to agree to a general suspension of hostilities, or even to preliminary articles of pacification.

12th Germinal, An 9.

The undersigned has communicated to his government the note of his Excellency Lord Hawkesbury, dated 21st of March, 1801.—The First Consul retains his constant love of peace; and the undersigned is specially directed to communicate the lively satisfaction felt by the First Consul, on perceiving that the British Cabinet is at last disposed to put an end to the misery which, for eight years, has desolated Europe. The campaign is beginning: the fleets of his Britannic Majesty appear ready to carry war into the bosom of the Baltic; the continental powers are prepared to attack Portugal and Hanover. How can it be expected, that, amidst these warlike preparations, and these new causes of exasperation, a public negotiation could be successful, without agreeing to some preliminary principles? Would it not be more natural to precede a negotiation by a suspension of hostilities? or, if the obstacles to a suspension of maritime force are more difficult to remove, even than the re-establishment of peace itself, would it not, at least, be more suitable to come to a previous understanding on the basis of the latter? The undersigned has all the powers and instructions necessary to give Lord Hawkesbury the additional explanations which his excellency can desire. The First Consul will regard that as the most splendid day of his life, when the commerce of Europe will enjoy its prosperity undisturbed, which can arise only from the peace of the seas. OTTO.

Citizen Otto announced, at the same time, that he had received the instructions and powers necessary for either of the two negotiations which should be preferred. The answer of Lord Hawkesbury was conceived in the following terms:—

2d April, 1801.

The undersigned Secretary of State for Foreign Affairs, does not lose a moment in acquainting M. Otto, that his Majesty feels a real satisfaction on learning that the sentiments of the French government for the re-establishment of peace are conformable to his own. From the manner in which the overtures of his Majesty have been received at Paris, he has every reason to hope that this desirable object will be obtained, for the mutual interest and happiness of both nations. As to the proposition of an armistice, which is suggested as a fair alternative, the difficulties foreseen in the note of M. Otto are of a nature to render them insurmountable, or, at all events, to occasion considerable delays: but the other proposition, an immediate, full and confidential communication, respecting the terms and preliminaries of peace, is entirely conformable to the wishes of his Majesty. The undersigned will be authorized, in a very few days, to enter into a negotiation with M. Otto; and he will receive the necessary powers to bring this important business to a very prompt termination. HAWKESBURY.

This note proves, that the British government acceded to the proposition for opening the negotiation on the preliminary articles; and the discussions for that purpose were begun on the 14th Germinal. The English minister endeavoured, at first, to bring forward all the former pretensions of his court; and some of the events which had taken place in the North of Europe (the passage of the English fleet into the Sound, and the unexpected death of the Emperor Paul I.) as having contributed to give confidence to the British cabinet. In his second conference, Lord Hawkesbury delivered to Citizen Otto, a sketch, without any signature, of the conditions which he proposed should form the preliminaries of pacification.

Aperçu, in the hand-writing of Lord Hawkesbury.—His Majesty proposes to the French government, to conclude peace, for itself and its allies, on the following conditions:—The French government will evacuate Egypt, and give it up to the Porte. His Majesty will restore, on his part, to France and its allies, the following conquests:—Pondicherry, Chandernagor, Mahé, Negapatam, Malaca, Amboine, Banda, Cochin, St. Marcou, the

Cape of Good Hope, on condition that it shall be a free port, Goree, Surinam, Curacao, Saint Lucia, the Saints, St. Pierre and Miquelon, Minorca. The Batavian Republic shall grant to the House of Orange an entire indemnity for the loss which it has suffered in its property. If authentic information should be received, previous to the signature of the preliminaries, of the evacuation of Egypt by the French troops, or of a convention concluded to that effect, his Majesty will not hold himself bound to subscribe to the above conditions in all their extent.

The First Consul ordered Citizen Otto to be informed, that he could consider these first propositions of the English minister only as a means of gaining time; that there certainly could be no idea of their being seriously discussed; that there was some difference between the fifth and the ninth year of the republic; that he would consent only to an honourable peace, founded on a just equilibrium of the different parts of the world; and that, with such a view of things, he could not leave, in the hands of England, countries and establishments of such immense weight in the balance of Europe, as those which she demanded. During several weeks, the discussions went on and extended to a considerable length. To give them more activity, the First Consul ordered Citizen Otto to deliver the following note to Lord Hawkesbury:—

Hereford-street, 12 Prairial, An 9.

The French government sees with concern, that, from the first overtures made by his Britannic Majesty, to enter on negotiations respecting peace, two months are passed away, without being able to fix the basis of a pacification so important to the two nations and all Europe. In the actual state of things, it cannot be presumed that certain military events, and, above all, the operations of some small armies, that bear so inconsiderable a proportion to the real and disposable force of the two countries, ought to influence, essentially, a measure whose object it is to produce a system capable of re-establishing peace, and securing its duration. The public declarations of the British minister have informed Europe of the determination of his Britannic Majesty, to labour in the work of a general pacification, without suffering himself to be dazzled by success, or disheartened by misfortune. These sentiments are participated by the First Consul, by his council, and the whole nation. They are equally animated with a sincere desire to put an end to the war, but without compromising, in any manner, the dignity and real interest of France. The chances of war, which from one moment to another may form a balance between two powerful nations, can no more influence the conditions of a maritime peace, than of a continental peace; and whatever may be the fate of forces employed upon the Nile, the Tagus, or any other quarter, it is incontestible that the pretensions and respective interests will remain always the same; and that the object of the pacification will be, invariably, to re-establish an equilibrium which at once embraces the possessions and the commerce of two powers in different parts of the globe. To attain this object, the French government, reckoning more and more on the sincerity of the British ministry, requests that the negotiations may take a more official character: and that the ministry will communicate to the undersigned, in writing, the propositions it proposes to make on the basis that his Majesty shall have thought proper to adopt, for the establishment of a definitive and general peace. The well-known firmness of the French government, and its means of defence, would be sufficient to set aside any condition that might be incompatible with the honour and the dignity of the republic; if even the principles of justice and moderation that the ministry of his Britannic Majesty has hitherto professed, were not to be considered as pledges of his sincere desire to shorten the negotiations by offers analogous to these principles. OTTO.

On a demand made to Lord Hawkesbury, that he would specify his propositions for the re-establishment of peace, he answered by referring to the *Aperçu* which he had given to Citizen Otto, in an early part of April; and, without particularizing the articles it contained, requested that the French government would also make known its propositions. His note is as follows:—

Downing-street, June 6, 1801.

The undersigned, first Secretary of State for Foreign Affairs, has laid before the King the note presented by M. Otto on the 1st inst. His Majesty has never ceased to preserve the sincere desire that he manifested at the commencement of the negotiation, to conduct to a speedy conclusion, the war which unhappily exists between the two countries. The delays which might take place in the course of the negotiation, cannot, on any account, be attributed to his Majesty: and if it was thought more convenient to carry on the necessary discussions by verbal communications, rather than by the more usual means of official notes, it was because that mode, proposed by the French government, was best calculated to bring the two countries to a full and clear understanding with each other. The undersigned has already, on several occasions, made M. Otto

acquainted with what appeared to his Majesty's government to be the most suitable means of negotiation, and on what conditions peace might be concluded. This basis can be established only on just and equitable principles, taking into consideration all the circumstances of the war, and the relative state of the belligerent powers at the moment of nogotiation. His Majesty is so far from being influenced by any view of ambition and aggrandizement, that he would most willingly abandon all the conquests which have been made during the present war, on condition that the powers of the continent should recover the situation which they possessed before the commencement of hostilities in 1722. But if there should be an opinion that an arrangement of this nature was impracticable in the actual state of Europe, in this case his Majesty would be obliged to have recourse to some other principle equally just and reasonable; and he thinks that he has the right to expect, that the French government will acquiesce in his being justified, from the success of his arms, to retain a part of his conquests, from a sense of giving security to his dominions, and serving as a counterpoise to the important acquisitions of territory obtained by France on the continent. Conformably to this principle, the undersigned has remitted to M. Otto, the 14th of last April, a memorial, wherein were laid down, the terms to which his Majesty was disposed to accede as conditions of peace; and also, to give the most unequivocal proof of the justice and moderation of his views, and of his sincere desire for the return of tranquillity, his Majesty does not hesitate to declare, that he is not disposed to avail himself of the circumstances which have since presented themselves, though ever so important to the interest of his states, by asking for terms more advantageous than those that have been stated in this memorial; therefore, his Majesty refers again to this memorial, on the subject of those principles on which peace can be concluded between the two countries. If the French government has any propositions to make, different from those that have been mentioned, and which in its judgment may conduce to peace, his majesty is ready to give them the highest consideration. HAWKESBURY.

Citizen Otto received from his government the following note, which he inclosed as an answer to Lord Hawkesbury:—

26th Prairial, An 9.

The undersigned having transmitted to his government the note of his excellency Lord Hawkesbury, dated the 6th of June, is directed to address the following answer to him:—A just and honourable peace is the first wish of the French government: and, during twenty months, it has not ceased to manifest its dispositions to that object. In the month of Nivose, year 8, it proposed to the British government to treat of peace, and its proposition was repulsed. During the negotiations with Austria, the French government reiterated the proposition of a separate negotiation with England, and even of a general negotiation, if the court of London would put itself in the same position relative to France as the court of Vienna had done, by the preliminary conclusion of a maritime armistice, analogous to that of the continent, which was altogether in favour of Austria. This proposition was also rejected: and if at this moment, when the negotiation is opened between the two states, the British government participates in the wish for peace, it is very easy to give a proof of it, since it possesses, from its immense conquests, the pledge of a general peace. At the same time it must be said, that the sincere disposition to peace is not visible in the propositions presented by Lord Hawkesbury. Can the court of London, if it is sincere in its wishes for peace, and now that the allies are concentrating their means against it, pretend to preserve conquests, which she owes only to the disorders of the French revolution, and the efforts of the coalition? Nevertheless, it is acknowledged, that the great events which have happened in Europe, and the changes that have taken place in the boundaries of the great states of the continent, might authorize a part of the demands of the British government; but how can it demand, as an ultimatum, the keeping of Malta, of Ceylon, of all the countries conquered from Tippoo Saib, of Trinidad, Martinico, &c.? The undersigned is authorized to demand of Lord Hawkesbury, if, in case the French government should accede to the arrangements proposed for the East Indies by England, and should adopt the *status ante bellum* for Portugal, his Britannic Majesty would consent that the *status ante bellum* should be re-established in the Mediterranean and America? OTTO.

Until this period, England had affected to appear tranquil on the subject of Portugal, though the French and Spanish armies, united, had, in the space of a few weeks, reduced Portugal to the last extremity, and a negotiation had been concluded, in which the court of Lisbon was compelled to make the greatest sacrifices. In fact, the first treaty concluded at Badajoz had already imposed very rigorous conditions on Portugal, the principal of which were directed against England. Nevertheless, the First Consul refused to ratify this treaty, and made known

his refusal to England, declaring freely, that in the advantages gained over Portugal, he only sought for the means of compensation to offer England, in exchange for the restitutions she should make to the allies of France. This was the object of a note, addressed from Paris to Citizen Otto, and which he transmitted to Lord Hawkesbury. It was as follows:—

27th Prairial, An 9.

The war with Portugal having been pursued with ardour, and the province of Alentejo having been conquered by the Spaniards, the Prince Regent dispatched M. de Pinto with full powers to treat of peace. The negotiation was opened at Badajoz, between the ambassador of the republic and the Portuguese envoy. A kind of treaty was the result, whose principal stipulations were as follow:—That all the ports and roads in Portugal, as well in Europe as in the other parts of the world, shall be shut against English vessels, whether of war or commerce, and shall remain open to those of France and its allies, to the conclusion of a peace between France and England. That the limits of the two Guianas shall be determined in future by the river Arrawari, whose navigation, throughout its course, shall be common to the two countries. That the commercial relations between the two countries shall be fixed by a treaty of commerce; but that, in the mean time, the goods and merchandize proceeding from the soil and manufactures of each of the two countries, will be reciprocally admitted, without being subject to any prohibition or any duty but in common with similar goods and merchandize imported by other nations; that the French cloth shall be immediately introduced into Portugal on the footing of the most favoured branch of commerce. Further, this treaty contains the stipulation of an indemnity in favour of the French government.—But whatever may be the advantages which would result from this treaty, the undersigned is directed to make known to Lord Hawkesbury, that the instrument signed between the two plenipotentiaries respectively, will not be ratified by the First Consul, and will only be considered by him as a minute of conferences, and rather as a projet than a definitive treaty: at the same time, the First Consul, not to depart from the declaration made at L'Orient to M. D'Aranjo, that peace with the court of Lisbon would not be concluded, till the allies should be in possession of three provinces of Portugal, which might serve as a compensation for their colonies at a general peace. The undersigned must add, that in giving his orders to the French army to be prepared to continue the attacks of Portugal, the First Consul designed to avail himself of the submission of the Portuguese government, and leave the fate of this country to the British cabinet, who is called upon to decide it, by its answer to the last propositions which it has received, viz. if it will admit the *status ante bellum* for Portugal as an equivalent for the *status ante bellum* for America. The British government will not fail seeing, in the frankness of this measure, the desire to act with tenderness towards a feeble power, who, throughout the war, has acted no other part but that of an English province; and to avoid every thing which, by exasperating the two cabinets, would injure the negotiation entered upon by them, and would prepare for humanity new subjects for tears.

OTTO.

Lord Hawkesbury replied by the following note:—

Downing-street, June 25, 1801.

The undersigned, first Secretary of State to his Majesty for Foreign Affairs, has the honour to mention the receipt of two notes which have been forwarded to him by M. Otto, on the 18th inst. He shall abstain from making any reflection on the motives which prevented his Majesty from entering into the negotiation in the month of January, 1800, or on the circumstances which opposed his endeavours, during the present year, to obtain a general peace. The undersigned will, however, make some remarks on the negotiation in question. The French government appears to admit the incontestible justice of the pretensions of his Majesty to preserve a part of his conquests, by way of compensation for the great acquisitions of territory which France has made on the continent. His Majesty has already proved the moderation of his pretensions by the demands contained in the propositions sent to M. Otto. It cannot be doubted that his Majesty, in preserving every thing he has gained by his arms in the course of this war, does not overbalance the extent and importance of the acquisitions and influence of France on the continent. But his Majesty, animated by a sincere desire to re-establish peace, and by that spirit of moderation which can alone procure it, has declared his intention to make important concessions to France and its allies, and to keep those possessions only which it may judge necessary for the support and security of his states. M. Otto, by his first note of the 18th January, announces to his Majesty, that the French government is willing to admit the conditions proposed relative to the East Indies, and the *status ante bellum* for Portugal; provided his Majesty would consent to the *status ante bellum* for the Mediterranean and America. By the *status ante bellum* in the Mediterranean, his Majesty

understands that the French government wishes, on its part, not only that Egypt should be restored to the Grand Seignior, but that the integrity of the Ottoman empire should be secured. This proposition, extensive as it is, cannot in any way produce the results that it announces, nor re-establish the two nations in the *status ante bellum* in the Mediterranean. It would be also necessary that the French government should evacuate the country of Nice, and all the states of the King of Sardinia; that the Grand Duke of Tuscany should be re-established, and that the rest of Italy should recover its independence. If that cannot be, and that France is to preserve a part of the influence which she has lately acquired in Italy, his Majesty is legitimately authorized to keep the island of Malta, to protect the commerce of his subjects, and to watch at least over the interests of Great Britain in that part of the world. The proposition mentioned in the second note of the 28th inst. on the *status ante bellum* in America, as a compensation of the *status ante bellum* as relative to Portugal, appears to be unjust. The undersigned, in his note of the 14th April, has already regulated the concessions that his Majesty intended to make to France and his allies, with a view to assure to Portugal and the Ottoman Porte the *status ante bellum*, on the re-establishment of peace. But, although his Majesty is disposed to make every reasonable concession for the advantage of his allies, it cannot be expected that he will consent, for their sake, to make sacrifices which will be incompatible with the security of his kingdoms. Independent of all considerations of this nature, the proposition is in itself liable to objections, since the *status ante bellum* for Portugal cannot in any way be equivalent for the *status ante bellum* for America. His Majesty has made very important conquests in that part of the world, not only from France, but Spain and Holland. It cannot, therefore, be expected that his Majesty will restore all the conquests that his arms have made from several powers in America, as a compensation for the *status ante bellum* in Portugal alone: besides, it must be observed that the *status ante bellum* in America could not be produced by the restitution of the conquests which his Majesty has made there, without calling for a compensation to Great Britain, for the acquisition that France has made of the Spanish part of St. Domingo. His Majesty does not mean to avail himself of the incontestible right which he can claim from treaties of bringing into discussion this concession of Spain to France; but he cannot allow that it should pass unnoticed in regulating the conditions of peace. The undersigned, after having made such observations as the occasion requires, has, nevertheless, been directed by his Majesty to give an additional proof of the care he takes of the interest of his allies, and of his desire to bring the negotiation to a happy conclusion. For this purpose, the undersigned is authorized to promise, that when the French government shall have acceded to the propositions already made by his Majesty respecting the East Indies and the Mediterranean; and if it consents also that his Majesty shall keep in America, Martinico, Tobago, Demerary, Essequibo, and Berbice, his Majesty will add to what he has already granted, the *status ante bellum* for Spain, in consideration of the *status ante bellum* for Portugal, and conclude peace on these conditions.

HAWKESBURY.

The conclusions of this note, then, were nothing less than that, if the *status ante bellum* was allowed to Portugal, his Britannic Majesty would allow the same to the King of Spain; that is to say, that of all the objects of which England proposes to retain, she only offers to give up Trinidad, being desirous of keeping Malta, Martinico, Ceylon, Tobago, Demerary, Essequibo, and Berbice. This note was calculated to lessen, in a great degree, the confidence which the first Consul wished to have in the pacific declarations of the English minister. He directed Citizen Otto to transmit the following paper:—

21st Messidor, An 9.

The undersigned has submitted to his government the note of his excellency Lord Hawkesbury, dated 25th June. He has received orders to make the following answer:—It is with the most poignant grief that the First Consul perceives, on the perusal of this note, that all the measures hitherto taken by the British government by no means tended, as it had publicly declared, to obtain a prompt pacification between the two states. What can be expected of a negotiation which assumes such a retrograde character! By the note of the 6th June, and the explanations which accompanied it, Lord Hawkesbury had stated that his Britannic Majesty was disposed to restore all the acquisitions which he made from France and her allies, with the exception of Ceylon, of Martinico or Trinidad, and the island of Malta, with this modification with respect to the latter, that its port should be neutralized: and it is to be observed, that the conquests made by the allies in Portugal are reckoned as nothing in the propositions of Lord Hawkesbury, no more than the other compensations of the same kind that France might offer on the continent. By the note of 30 Prairial, the French government has proposed to abandon all the

conquests of the allies in Portugal: and by way of answer to this pacific proposition, the English government, in its note of the 25th June, demands, by name, Ceylon, Malta, Martinico, and, still further, Tobago, Demerary, Essequibo, and Berbice; that is to say, that the proposition made by France to snatch Portugal from the horrors of a war, in which it has been involved by its attachment to England, will produce no other effect on the British government, than to make it retract a part of the restitutions to which it had consented. The conquest and occupation of several provinces of Portugal, will be the probable consequence of a measure so contrary to declared intentions, and so unfavourable to the success of the negotiation. Can it be believed that the French people are reduced to such a sad extremity as to sign a disgraceful peace? If, after eight years of war which has caused so much blood to be shed, after so many assurances of moderation, so many reciprocal protestations, the French people see themselves obliged to continue the war, is it to be doubted that it will find in its constancy, its population, and its strength, the means of repairing the losses which its allies and itself have, only in part, sustained by treasons, by the consequences of the revolution, and the efforts of continental nations? The First Consul cannot persuade himself that the British government will continue to prolong the calamities of war; or, which would be the same thing, would propose a system of peace which would not possess, in the highest degree, the character announced in the letters of Lord Hawkesbury, which would not be reciprocally just or honourable. OTTO.

This note occasioned the following reply from the English minister:—

The undersigned principal Secretary of State, &c. has the honour to acknowledge the receipt of the note of M. Otto, dated 14th July; and he cannot express the surprise he experienced from the reading of it. The sincere desire of his Majesty for the restoration of peace was clearly manifested in the proposition that he originally made to attain that object; and in the progress of the negotiation he has been so far from increasing his demands, that, on the contrary, in his last proposition he has considerably diminished them. His Majesty deplores that, in the answer which has been received from the French government, he does not discover that spirit of moderation which has constantly influenced his own conduct. In the *memorandum* delivered by the undersigned to M. Otto, the 14th April, his Majesty stated the conditions to which he proposed to subscribe, to attain the great object he had in view. He offered to restore to France and his allies, Pondicherry, Chandernagor, Negapatam, Malacca, Amboine, Bande, Cochin, the Cape of Good Hope, Goree, Surinam, Curacao, St. Lucia, the Saints, Saint Pierre and Miquelon, Saint Marcou, and Minorca, provided that France would restore the only conquests that she made from the allies of his Majesty: and his Majesty, at the same time, declared, that in case the evacuation of Egypt by the French should precede the signature of the preliminaries, he should not consider himself as bound to adhere to these conditions in all their extent. On the 1st of June, a proposition was made by the French government, that the negotiation should assume a more official character; and in conformity to that wish, the undersigned transmitted to M. Otto the note of the 6th June. Although a very important change has taken place in the situation of this country; although a reasonable hope was entertained of a speedy and friendly arrangement with the powers of the north; although the success of the British arms in Egypt was then sufficient to justify an increase of requisitions; his Majesty still refers to his first memorandum of the 14th April, respecting the terms on which he was disposed to conclude a treaty of peace. The success of the troops in Spain and Portugal have since been represented by the French government as giving a right to demand additional restitutions on the part of his Majesty. The situation of Portugal had already been taken into consideration by his Majesty in the propositions which he had made 14th April. The change which some successes in that quarter might produce, cannot, in any degree, be compared to the advantages which have accrued to this country by the events already mentioned. His Majesty would then have been fully justified in adhering at least to his first propositions, but, from his invariable solicitude for the interest of his allies, and his sincere desire to facilitate the attainment of peace, the undersigned was authorized, in the the note of the 25th June, to offer, in addition to the restitutions which had been already proposed, the important island of Trinidad, and also the eventual assurance of the *status ante bellum* for Spain, as a consideration for the *status ante bellum* for Portugal. The French government has distinctly admitted, in the note presented by M. Otto 18th June, that which could not, indeed, be contested, that his Majesty was justified in retaining from his own conquests a compensation for the important acquisitions of territory that France has made on the continent. If the value and extent of these acquisitions are fairly estimated, and if it is considered that France

has availed herself of her recesses to retain Nice, Savoy, the whole of the Austrian low countries, and the countries to the left of the Rhine; if it is also considered what a large proportion of his conquests his Majesty has proposed to restore to France and her allies, the justice and moderation of his Majesty must appear evident to all the world, whether the possessions which he proposes to retain be considered relatively to the success of his arms, or, which is still more important, in a state of comparison with the augmented influence and power of France. In conformity to these sentiments, his Majesty has fixed on the terms on which he conceives that a just and honourable peace may be concluded. It is to these terms that his Majesty would still adhere, notwithstanding events highly favourable to the interest of Great Britain have taken place since the last communication with the French government. His Majesty then has a right to demand that the French government would be equally explicit. The undersigned is, in consequence, authorized to demand, that the French government will distinctly state to what part of the propositions of his Majesty its objections apply, and that it will communicate, with the same frankness which has marked the conduct of his Majesty, the conditions which, after a general consideration of the circumstances just mentioned, it may judge proper to conduct the negotiations to a prompt and happy conclusion.

This communication increased the embarrassments of the negotiation; and there was reason to apprehend, that, with these reciprocal recriminations, the business would terminate without coming to a right understanding. The First Consul, therefore, applied himself to give a new shape to the terms of the proposition; and Citizen Otto transmitted, by his order, an explanatory and categorical note, in which he clearly announced the conditions on which the First Consul was ready to sign the preliminary articles of peace.

4th Thermidor, An 9.

The undersigned has communicated to his government the note of Lord Hawkesbury, dated 20th July, and is directed to make the following answer:—The French government is forgetful of nothing that may lead to a general peace; because it is at the same time the interest of humanity and the allies. It is for the King of England to calculate if it is equally for the interest of his politics, his commerce, and his nation. If that should be the case, a remote island more or less cannot be a sufficient reason for prolonging the distress of the world. The undersigned has declared, in his last note, how much the First Consul was afflicted at the retrograde character which the negotiation had assumed: but as Lord Hawkesbury contested that opinion in his note 20th July, the undersigned proceeds to recapitulate the state of the question with the frankness and precision which such important affairs deserve. The question is divided into three points:—The Mediterranean, India, and America. Egypt shall be restored to the Porte. The Republic of the Seven Islands shall be acknowledged. All the ports of the Adriatic and the Mediterranean which have been occupied by French troops shall be restored to the King of Naples and the Pope. Mahon shall be given back to Spain. Malta shall be restored to the Order; and if the King of England thinks it conformably to his interests as a preponderating power on the seas, to raze the fortifications, this clause shall be admitted. In India England shall keep Ceylon. The other establishments shall be restored to the allies, comprehending the Cape of Good Hope. In America every thing shall be restored to its ancient possessors. Portugal shall be preserved in all its integrity. Such are the conditions which the French government are ready to sign. The advantages that the British government will obtain are immense; and to pretend to greater, is not to demonstrate a wish for a peace reciprocally just and honourable. Martinico, not having been conquered by the British arms, but given up by the inhabitants into the hands of the English till France should possess a government, cannot be considered as an English possession. France will never renounce her right to it. Nothing now remains for the British cabinet but to manifest the part it will take; and if these conditions cannot satisfy it, it will be proved in the face of the world, that the First Consul has neglected nothing, and that he has evinced his disposition to make every kind of sacrifice to re-establish the peace, and to spare to humanity the tears and blood which will be the inevitable consequences of a new campaign.

OTTO.

The First Consul consented, with extreme regret, that the English should keep Ceylon; nor did he dissemble the importance of the sacrifice; but he was convinced of its necessity; and he did not doubt that Batavia itself, deprived by treason of its finest colonies, and despoiled of all its commerce, was anxious, even at this price, to be restored to that state of safety which peace alone could obtain. But, by not insisting on the restitution of an establishment which rendered England absolute mistress of India, the First Consul owed it to his allies, and to himself, as chief of the French government, to claim the entire restitution of all the other islands

and colonies, which the fate of war, and still oftener treachery, had placed in the power of the English. It was essential to the maintenance of the pacification which so much pains were employing to establish that England should have its power extended and strengthened in Asia and America; but it could not be permitted that she should extend her commercial monopoly and maritime dominion over the Mediterranean, which, from the condition of the shores which surround it, should not be suffered to acknowledge such an influence. Lord Hawkesbury sent the following official answer:—

5th August, 1801.

The undersigned principal minister of his Majesty for Foreign Affairs, has laid before his Majesty the note presented by Citizen Otto the 26th of last month. His Majesty had every right to expect, that the unreserved and moderate propositions to which he was disposed to accede for the re-establishment of peace would have been favourably received by the French government, or at least in the plan of pacification which was offered, there would have been no essential difference. This expectation was encouraged by the repeated declarations made on its part of its disposition to enter into an equitable arrangement, and by its admission of the principle on which the propositions of his Britannic Majesty was founded. In the application of this principle his Majesty was not determined by views of ambition and aggrandizement, but by proposing to keep no more than a moderate portion of his vast acquisitions, he has been influenced by the desire of giving additional security to his ancient possessions. In no part of the negotiation has his Majesty framed new pretensions, and the assertion of M. Otto to that effect in his last note is wholly destitute of proof. His Majesty is convinced that no reasonable objection can be made by the French government to the substance of the conditions which he has proposed. He had, therefore, a right to expect that every proposition that might spring from it should be conformable to those principles which had been acknowledged as those were, which appear in his last communication. The assertion advanced in the note of M. Otto that Martinico had not been acquired by the arms of his Majesty, but placed under his protection by the inhabitants, is clearly erroneous. The terms of the capitulation will demonstrate that the acquisition of this important colony can be alone attributed to the efforts of the troops employed in that expedition. The French government has acknowledged that the acquisition of an island more or less, cannot be of sufficient importance to determine the fate of a negotiation on which those interests which are the dearest to humanity depend. The undersigned flatters himself that the French government will be guided by the same principles, and that the success of the negotiation will not be frustrated by a demand, on its part, of restitutions which the relative situations of the belligerent powers would not allow, and which its own example in regard to its conquests does not give it any right to expect, and which his Majesty does not consider as to accord with these principles on which alone an honourable and permanent peace can be concluded. In this view his Majesty is disposed to give a new proof of his moderation and sentiments; and he does not make any difficulty in declaring, that if the French government will admit of a reasonable arrangement, relative to the East Indies, in conformity to the principle which has been acknowledged as the true basis of the negotiations, his Majesty is ready to enter into further explanations relative to the island of Malta, and desires seriously to concert the means to form an arrangement which will render it independent both of Great Britain and France. HAWKESBURY.

This note could not be considered as answering the just expectations of the French government; but as the British government manifested a disposition to enter upon the important subject of Malta, the First Consul felt infinite satisfaction at this first appearance of an accommodating intention. Citizen Otto was directed to transmit the following note:—

20th Thermidor, An 9.

The undersigned did not delay a moment to communicate to his government the note of Lord Hawkesbury, dated the 5th August. It is with the sincerest satisfaction that the First Consul perceives in the last communication of the British government, that the negotiation begins, on its part, to assume a character calculated to inspire confidence, and to afford the prospect of a termination to those evils, which are the inevitable consequences of a war of so long duration. The re-establishment of the respective positions in the Mediterranean and the American seas, were the points on which there has not yet been a clear understanding. But his Britannic Majesty having consented that the island of Malta and its dependencies should be placed in such a position as to belong neither to France or to England, the sole obstacle is removed which the arrangements respecting the Mediterranean still continued to offer. And as to America, his Majesty having declared that he is not influenced by any view of ambition and aggrandisement; and that he wishes for an arrangement conformable to the

basis already admitted, that is, such as may lead to a peace, reciprocally just and honourable;—that he does not propose to keep but a moderate part of his vast acquisitions, and with no other view but to add to the security of his ancient possessions; it is impossible not to remark, that the ancient possessions of his Majesty in America have their central point in Jamaica, an extensive and opulent colony, strong from its position, but rendered impregnable by the accumulated works which render it superior to all attack: consequently, the ancient possessions of his Majesty in America do not require to be augmented in order to their consolidation, or to assure their means of defence. It is therefore reasonable to believe, that his Majesty will himself perceive, that to keep any of his new acquisitions in America, would be to assert, in the West Indies, the same absolute power which he already exercises in the East. Nevertheless the French government will not swerve from the dispositions that it has manifested; and it will not put the peace of the world in balance with the possession of an island, which being but of secondary consequence to France and its allies, and having been conquered by the arms of his Britannic Majesty, would be readily acknowledged to be necessary to the security of his ancient possessions. The undersigned is persuaded that these explanations cannot fail to appear to the British government, as smoothing the way towards a conciliation; and it becomes him to add, that his government encourage the hope that they will produce the happiest effects for the re-establishment of peace.

OTTO.

This note indicated, as the grand point on which it was necessary to agree, that an arrangement should be made for Malta, that it might not remain in the hands either of France or England.—Lord Hawkesbury replied by the following note:

14th August, 1801.

The undersigned has the honour to acknowledge the receipt of the note of M. Otto of the 11th instant.—Although it is impossible to accord with certain observations contained in this note, he has experienced great satisfaction on the prospect it offers of a favourable conclusion to the negotiation. The arrangements in the West Indies appear to be an essential obstacle to the cessation of hostilities between the two nations. With the view of assuming his possessions in America, and of balancing the power of France and its allies in this part of the globe, his Majesty has proposed the liberal and just arrangement contained in his preceding communications. If the possession of Martinico by his Majesty appears nevertheless to be considered by the French government as an insurmountable obstacle to the return of peace, his Majesty may be induced to renounce his just pretension in this respect, on condition that the French government will consent to the following alternative:—In the first place, that his Majesty may keep in the West Indies, the islands of Trinidad and Tobago; and in this case, Demerara, Essequibo, and Berbice, shall be free ports. 2dly, That his Majesty shall retain possession of St. Lucia, Tobago, Demerara, Essequibo, and Berbice.—The undersigned will not suffer himself to imagine that, after the concessions made by his Majesty, and the moderation that he has displayed in the course of the negotiation, the French government will raise any difficulty, but that it immediately authorise M. Otto to consent to one or other of the above propositions.

HAWKESBURY.

In this note Lord Hawkesbury took no notice of Malta; but in his private conversations with Citizen Otto, he agreed that it should be restored to the Order of St. John. Besides, as has been just seen, he desisted from the island of Martinico, on an alternative condition, which very much embarrassed the French government. If it had abandoned Trinidad, it would have occasioned a very considerable loss to Spain; but if, to save that island, it had sacrificed Demerary, Essequibo, and Berbice, it would have been making Holland bear the whole weight of the sacrifices exacted for the peace; it would have been throwing into the hands of England the whole commerce of the American continent: and striking at the power, as well as at the commerce of Spain, a blow which she would feel more sensibly than even the loss of Trinidad. The First Consul, notwithstanding the immoveable basis which had been so long established in France, that the peace ought not to cost the republic any particular sacrifice, would have preferred the abandonment of Tobago: but England would not be contented with that island; and it was in vain that Citizen Otto proposed even to add Curacao. In proportion as the negotiations approached towards their termination, difficulties multiplied; and the long conference of the respective plenipotentiaries on 20th Fructidor (the substance of which was reduced into writing) was not sufficient to remove every obstacle. It may be of use to relate it at large.

A written Account of a Conference held 20th Fructidor (7th September) between his Excellency Lord Hawkesbury, Minister and Secretary of State to his Britannic Majesty for the Department of Foreign Affairs, and

Citizen Otto, Plenipotentiary of the First Consul of the French Republic.

The French plenipotentiary having communicated to Lord Hawkesbury the *projet* of a preliminary treaty which had been sent to him by his government, and the English minister of state having taken the advice of his Majesty's council on the subject, the discussion was opened between the two plenipotentiaries, who agreed to proceed, article by article, on the said projet, and to set down in writing such observations as should arise in the consideration of it. The preamble being entirely conformable to the wish of his Britannic Majesty, Lord Hawkesbury observed, that, in one of the copies of the treaty, it would be necessary to put the name of his Britannic Majesty before that of the First Consul of the French Republic; which, being conformable to generally received customs, was consented to immediately by Citizen Otto. The articles relative to restitutions and compensations were afterwards the subject of a long discussion. The French plenipotentiary insisted on the enumeration of the conquests which the British government had engaged itself to restore, omitting those of them which, by the eventual definitive treaty, were understood to remain to Great Britain. He observed, that it was not in the power of the French government to dispose of any colony belonging to its allies: that it had already gone very far in not insisting on the restitution of all the colonies, and in promising that it would not oppose any arrangement by which his Britannic Majesty may obtain such or such possession in any future congress. This reasoning was strongly combated by Lord Hawkesbury, because, in procuring for the allies of France the restitution of a great number of colonies, which it would be impossible for them to re-obtain without such aid, it appeared to him that the First Consul ought to stipulate also the degree of compensation for such an advantage. It was answered, that the French government alone could judge of the extent of its rights and obligations to its allies; that, for example, having agreed with them to demand their reintegration, and not to dispose of any of their colonies without their consent, it could not, under any pretext, violate that engagement, in giving up any one of their possessions by the preliminary treaty. Without denying this conclusion, Lord Hawkesbury observed, that any engagements of France with her allies could not be binding on the English government; and that, if France was not authorized to stipulate completely in the name of her allies, it must necessarily follow, either that she had special powers from each of the allied parties, or that the peace was made with each of them separately; which would be contrary to the spirit and end of an actual negotiation for a general peace. Citizen Otto observed, that the compensation which was demanded at the expence of the allies of France, did not arise from any right whatever, and was really but an accessory advantage, which the First Consul had consented to leave to Great Britain, merely for the love of peace; that, in looking over the preliminaries proposed, all impartial men would find a sufficient system of compensation in the renunciation of Egypt, and in the reintegration of all the allies of his Britannic Majesty. This reintegration alone might be even considered as an equivalent for the reintegration of the allies of France; and the more so, as it is not in the power of Great Britain to do them so much injury as the First Consul can do to the allies of Great Britain, if the war should continue.—Lord Hawkesbury disagreed entirely with this mode of reasoning; and observed, that the only principle on which the British government had proposed to enter on the negotiation was, that his Britannic Majesty should keep a part of his conquests as a compensation for the immense acquisitions which France had obtained on the continent; that this principle had been admitted by the French government; that the compensation required ought to appear just to France, because the government was ready to consent to it; that he did not dispute the fundamentals of the question, but the mode; and that it was his duty to declare, that the British ministry could never present to the public a treaty which did contain at the same time both restitutions and compensations; that the mere omission of the objects to be preserved would give the treaty an equivocal sense, which the plenipotentiaries of the allies of France might turn to their advantage, by insisting, that those objects had not been abandoned, but referred only to an ulterior discussion; that, besides, such a mode of editing would be contrary to the style of all known treaties, and would draw on the minister the very just reproaches of the English parliament and the public.—Citizen Otto saw nothing in this new objection but two obstacles, very easy to be surmounted; one relating to the equivocal sense of the treaty, which would be rendered secure by a secret article, in which France would point out nominatively those colonies which she would consent to leave in the hands of the English; the other, respecting the opinion of the public, would be still less embarrassing, if they could agree, on both sides, to keep the preliminary articles secret till the signing of the definitive treaty. Lord Hawkesbury replied,

that he could not conceive how the secret could be kept at the congress; that as soon as the British plenipotentiaries should require from the allies of France the sacrifices secretly agreed on, those allies would not fail to implore the interference of France; that from thence the plenipotentiary of the First Consul would be obliged to declare himself in favour of the English pretensions, and consequently to discover the secret arrangement which have now been proposed: added to this, it was entirely against the custom of this country, to hide the preliminaries of a pacification so important, and that the ministry could not do otherwise than make it known. This discussion having been considerably prolonged without any success on either side, the two plenipotentiaries agreed to postpone the continuation of it to a future time, and to continue to debate on the subsequent articles. Art. IV. which concerned the restitution and the freedom of the Cape of Good Hope, was agreed to, with some observations on the form of wording it. Article VI. respected the island of Malta. This had not appeared to Lord Hawkesbury sufficiently explicit, as it did not contain the express condition under which his Majesty had determined to renounce the island of Malta, viz. that the Order and the Isle should be placed under the guarantee of another power; and he read to Citizen Otto the article of the counter-projet of the British government, by which Russia should be invited to take part in the arrangements which concerned Malta, and even to send and garrison the island, in quality of protector of the Order of St. John. Citizen Otto answered, that the First Consul did not refuse to admit Russia to be guarantee, but that, in the article proposed, there were several clauses which would produce delays, and retard, not only the conclusion of the definitive treaty, but even its execution, in what related to the time that would there be stipulated for the evacuations: besides, the Order of Malta appeared to exist in Russia; that, consequently, it would be useless to burden his Imperial Majesty with a protection which he had already formally avowed. Lord Hawkesbury thought, for his part, that a schism existed in the Order of St. John: and that it was important to determine, clearly, where and what this Order was, to prevent discussions which might take place after the conclusion of the treaty: that, besides this, his Majesty made too great a sacrifice in renouncing Malta, not to take every precaution in his power to prevent that important possession from coming eventually under the French government; that the proposition made tended to do away every motive of jealousy on the subject, in leaving the isle under the protection of a strong third government. Citizen Otto replied, that if his government consented to this expedient, and to the delay which would thence result for the evacuation of Malta by the English troops, it would be conformable to the rules of reciprocity that the kingdom of Naples and the Italian states should not be evacuated by the French till the moment that Malta should be so by the English. If such an arrangement should be agreed upon (replied Lord Hawkesbury), it would be but justice to limit the number of French troops in the south of Italy, and to proportion them to the number of English troops in garrison at Malta. This precaution appeared to Citizen Otto to be misplaced, as it was quite an impossibility that the French government would take advantage of those delays to exercise hostilities against Malta. Without any thing being decided on the mode of the evacuation of Malta, the plenipotentiaries agreed to wait the First Consul's answer on the subject, and then to renew the discussion. Article VII. relating to Egypt, was adopted, with some observations on the wording, which would appear in the counter-projet. Lord Hawkesbury remarked, that it would be proper to substitute to the title of *Grand Signor*, that of *Sublime Porte*, as more conformable to the etiquette of courts. Article VIII. which stipulated the integrity of the kingdom of Portugal, did not appear sufficient to Lord Hawkesbury: he proposed to substitute, for the word *kingdom*, the words *territory and possessions of his Most Faithful Majesty*. This expression might weaken the arrangements made at Badajoz between France and Portugal, respecting the limits of Guiana; and Citizen Otto refused to consent to the alteration. Article IX. was agreed to by Lord Hawkesbury in substance: he only required that the Italian states should be evacuated by the French, at the same time that Porto Ferrajo should be so by the English. Citizen Otto replied, that he was authorized to accept of this proposition, on condition of the undermentioned reserve, that Lower Italy should not be evacuated by the French until the moment of the evacuation of Malta by the English. Article X. respecting the times of the respective evacuations, was adopted *verbatim* by Lord Hawkesbury, and inserted in the counter-projet of his court. Article XI. relative to the sending home of prisoners, gave occasion to serious discussions respecting a clause extracted from the preliminaries of 1683, which Lord Hawkesbury wished to add to the article proposed by the French government, and by which the two governments engaged to reimburse each other respectively for the advances made for the

support of the prisoners of their respective nations. Citizen Otto protested against this clause, as much too burthensome upon the French government, which, after having supported, at its own expence, during the whole war, the prisoners taken from the powers allied with England, would also have to pay for the support of its own prisoners. He observed, that the article proposed by France was entirely conformable to that of the treaty of Luneville; and in this respect he thought he ought to insist on a sort of reciprocity, founded on natural equity; and that, on the other hand, the voluminous correspondence which had been published concerning the maintenance of the prisoners, sufficiently proved that the law of nations did not at all justify this precaution of the English government, as, in his official letters, which were often very severe, Mr. Dundas relied only on an arrangement made with the Directory of the French Republic, and on its convenience; that the example of the last war, in which the number of prisoners was nearly equal on both sides, and in which France had not to maintain from sixty to eighty thousand prisoners belonging to the allies of Great Britain on the continent, could not be cited on this occasion; and that it would be so much the more painful for France to make a similar sacrifice, as, since the suspension of the arrangement made by the Directory, the greater part of the political writers of that country had published the strongest invectives upon the pretended indifference of the French government towards the prisoners of their nation; and that even the official letters which Citizen Otto had answered at that time, contained very serious inculpations on that subject: in fine, it would be sovereignly unjust to cause, at this day, the funds which Mr. Dundas had represented as a *generous sacrifice made to humanity*, to pass for a simple advance, but which was really nothing more than a compensation for the expence incurred in France, for the support of the English, Russian, Bavarian, Swiss, and other prisoners of the foreign troops in the pay of Great Britain.—Lord Hawkesbury observed, that what had taken place with respect to Russian, Austrian, and other prisoners, could not be admissible in this negotiation; that the article proposed by him was conformable to the treaty of 1783 and to that of 1763. Article XII. was adopted by Lord Hawkesbury, without any modification; and transcribed in the counter-project of the British government. Articles XIII. and XIV. contained some documents relative to particular transactions, and to the civil law. Lord Hawkesbury had pre-informed Citizen Otto, that these articles had been submitted to the consideration of the High Chancellor of the Crown, who gave his opinion at the cabinet. Citizen Otto declared, that, agreeable to a dispatch which he had just received, it was particularly enjoined to him to include the allies of the republic in the dispositions of these articles under the condition of a just reciprocity for Great Britain. Citizen Otto having then proposed the discussion of the Articles XV. XVI. and XVII. respecting the new arrangements to be made for Newfoundland, and for the fisheries in general, Lord Hawkesbury declared, that, seeing the maritime superiority of Great Britain, it belonged to her, rather than to France, to take advantage of any arrangement which might be made on the subject of the fisheries; that nevertheless his Majesty, in order to accelerate the progress of the negotiation, renounced any advantage to which he might pretend on that head, and consented to restore this object to the footing it was on before the actual commencement of the war; that those objects being entirely foreign to his attributes, it would be impossible for him to discuss them without previously consulting the admiralty, the merchants and captains of ships, particularly occupied in the fisheries; that such a discussion would take up much valuable time, so necessary to the re-establishment of the repose of Europe; that, during a period of more calmness, it would be easy to return to objects of this kind, which were merely commercial, and really formed a part of the commercial treaty. Citizen Otto answered, that the English government were not of this opinion in 1783, because it had included in the preliminaries of peace the arrangements concerning Newfoundland and the fishery; and that those arrangements having, for a principal object, the preservation of good harmony between the two powers, it was in effect very easy to insert them in the preliminaries. Lord Hawkesbury replied, that the example even of 1783, ought to do away at this time all discussion of that kind, as the plenipotentiaries had been employed three months in discussing the articles which concerned Newfoundland; and that, without doubt, the discussion of the 15th, 16th, and 17th articles, would now require still longer time; that with respect to the disputes which might take place respecting the fishery, the treaty of 1783 appeared to him the best calculated to settle them, because, since that time, no complaint had arisen on the subject, the fishermen of both nations having been equally satisfied.—After resisting this conclusion as far as it concerned the French fishermen, citizen Otto observed, that there would be no inconvenience in discussing the 15th, 16th, and 17th

articles; being well persuaded, that, after a cool deliberation, they would appear to fulfil the object which they had in view; and that, farther, he was most specially enjoined to insist strongly on the adoption of those articles, on which the French government really put no value, but because they appeared essential to cement the peace between the two governments; and that, for this very reason, he looked on the refusal of the British government as an alarming presage for the future tranquillity of the fishery: that without doubt it would be easy to collect, in a few days, the opinions of the Admiralty, and the corporations which it might be necessary to consult, &c. Lord Hawkesbury persisted in his refusal, and supported it on the firm resolution of Council, and held to the arrangements made in 1783; and he required, on his side, the insertion of an article on this subject, conformable to that which had been proposed at Lisle by Lord Malmesbury. Citizen Otto was not at all authorised to admit this clause; and seeing that, for that time, there was no possibility of making any progress in the discussion, he adjourned it to another conference. Article XVIII. which related to the absolute freedom of the fishery, even in time of war, was considered by Lord Hawkesbury as incompatible with the interests of Great Britain, which, being the preponderating power at sea, as France was on the Continent, ought to be free, in time of war, to take, with respect to the fisheries, such measures as would appear most advantageous to her. It was to be observed, that the freedom enjoyed by the small fishing-craft and fishers at this time could only be considered in itself as an indulgence, founded on motives of humanity, and by no means as a right. Citizen Otto did not think that a preponderance either by sea or land could exclude those arrangements which tended to prevent such preponderance from degenerating into injustice or tyranny; he thought, on the contrary, that it was precisely the existence of such a preponderance that created the necessity of restraining it within the bounds of justice and equity; that consequently it would be honourable to the government which declared its maritime superiority, to establish itself, in time of war, the boundaries of its activity. War, answered Lord Hawkesbury, unfortunately brings with it the right and the obligation of doing all the injury we can to our enemy; and it is difficult for a nation to refuse the means of exercising this right in all its extent, as far as is reconcileable with the principles of the unalterable law of nations; that even if the demand of the French government in this article should be founded in justice, it is not of a nature to make a part of a treaty of peace, but rather of a treaty of commerce and navigation. Article XIX. was adopted verbatim by Lord Hawkesbury, with the exception of a clause, which admitted only the allies of the Republic to the congress. It appeared to him to be just, and founded on reciprocity, that the allies of his Britannic Majesty should be equally admitted if they should express a wish to that effect. This observation would have appeared incontestible to citizen Otto, if the allies of his Britannic Majesty had any thing to demand, or a sacrifice of any kind to make from the holding of the congress; but the preliminary treaty established completely their reintegration. Besides, France has treated separately with his most Faithful Majesty; and is also in a direct negotiation with the Ottoman Porte: it is then completely useless to bring into the congress two powers who have no reclamation whatever to make, no sacrifice to offer, and can only embarrass the negociations which it imports to the two powers to terminate with all possible promptitude. Lord Hawkesbury, thought that probably the allies, and above all the Turks, would be disposed to place their interests in the hands of his Majesty, without sending Plenipotentiaries to the congress; but the King's Council having promised those powers not to make peace without their concurrence, and this demand being founded on an entire reciprocity between the two contracting parties, it was hoped that the First Consul would not oppose a measure which would be limited perhaps to a simple invitation.

Under those circumstances the Minister of Exterior Relations addressed the following letter to citizen Otto:

24th Fructidor, 9th Year.

Citizen, I answer your letter of the 21st Fructidor. The First Consul looks on it as necessary, either that you remit to my Lord Hawkesbury a note conceived in the terms I am going to inform you of, or that at least you will cause the contents to be inserted in the Protocol of your conferences; taking care to establish clearly that such are the precise and exact sentiments of the French government: you will judge of any thing which it may be thought better to do; in either case, here is what you ought to explain. The counter-projet remitted by Lord Hawkesbury, and the proces-verbal of the conference which has been held between him and you, having been laid before the French government, have produced important observations, which it is necessary to communicate. In the course of the negotiations, it has been established that the discussions, which have taken place between the two powers, are divided under the triple relation of Mediterranean, the East Indies, and America. Relative to the Medi-

terranean, the question is reduced to Egypt, and to the positions occupid by the French army on the coasts of the kingdom of Naples: besides for Malta and Mahon, it has been understood that all these countries shall be restored to the sovereigns who possessed them before the war. The sovereign of Malta was the order of St. John of Jerusalem. This order, by its institution, has been from time to time immemorial under the protection and immediate discipline of the Pope. If then it was found that the order, in its present situation, had found itself given up to dangerous dissensions, and to what the English Minister calls a schism, it is then to the intervention and the influence of the Holy See that it would be most natural for it to recur to cause them to cease; when even the restitution of the isle of Malta shall be in question, and the order under the guarantee of a great power, it cannot be understood that this power will maintain troops in the fortress of Malta, because this isle is sufficiently understood to be in a situation to defend itself, and that any material occupation of it by a foreign power would be an attempt at the sovereignty even of the order. In other respects, how can the re-establishment of peace between France and England be rendered subordinate to a condition which is found to depend on a third power. The most proper will be incontestibly to stipulate the pure and simple restitution of the island of Malta to the order of St. John without a guarantee, without foreign protection. If there must absolutely be a guarantee, and that of Russia be admitted, such guarantee ought not to be attended with any military force, nor any other protection than that which results from the treaty itself, just as it always took place in the system of the politics of Europe; and if by the results there should be any points to decide with respect to Malta, the discussions should be referred to the negotiations for the definitive treaty; and then, without doubt, it will be perfectly acknowledged that the evacuation of Malta by the English forces cannot be delayed beyond the month agreed on for the evacuations in Europe, without compromising even the benefit of the re-establishment of peace, and without announcing any essential pretensions opposed to what has been agreed on just to the present period. With relation to the East Indies, it is acknowledged, that the two contracting parties appear to agree on what is to be restored, and nothing more necessary but to understand each other, from the definitive treaty, on the relations to be established in India between the different European nations. In regard to America, we are persuaded that his Britannic Majesty feels himself sufficiently powerful in this country, and therefore will not require to enlarge his possessions. It cannot be believed, that, ruling without a rival in the Asiatic seas, he would wish to acquire the same exclusive preponderance in the American seas, yet the First Consul had declared that he would not, for an island of the second order, if there was but that obstacle, continue the misfortunes of war. The First Consul has not at all varied in his dispositions with regard to this object, but at present it is no longer an isle of the second order which the English government exacts; it is now two islands at once, Tobago and Trinidad. This colony, so important from its position, its riches, and its relation with the continent of South America; and this immense acquisition does not satisfy him; he would also have Demerara, Berbice, Essequibo, and the principal inlets of the commerce of South America, should remain open to his vessels; a liberty which he proposes to render common, but of which England will have all the advantage. We may say that it would be impossible to expect such propositions; and that if they were sustained, they would destroy all that the dispositions announced on the part of the English government, and which they had given room to hope for, and to have seen the salutary work of peace immediately terminated; for, in fine, it is not when it has ceded all that is compatible with its honour, that a government can suffer new sacrifices to be torn from it; and the First Consul, treating in the name of the French people, will never subscribe to conditions in which the honour of the nation is compromised. It is prescribed to you, Citizen, to give a formal assurance of it.

CH. MAUR. TALLEYRAND.

Citizen Otto having converted into a note the instructions which this dispatch contained, was charged to add, in his conversation, that the First Consul having gone as far as honour would permit him, there was no room to hope that he would make one step more. And here we must observe, that in the conferences between Citizen Otto and Lord Hawkesbury, every time that the evacuation of Malta was mentioned, the English minister quibbled on the term, always adding, that the French troops should remain at Otranto till the moment in which the evacuation of Malta should be completed. Let the following note be read:

Downing-street, Sept. 22, 1801.

The undersigned, first secretary of state to his Majesty for foreign affairs, has the honour to make known to M. Otto the reception of his official note of the 19th current. He is

sincerely afflicted, that, after the concessions which his Majesty has shewn himself disposed to make for the re-establishment of peace, the French government has raised difficulties as new as they are unexpected. The undersigned, in the desire of obviating all useless discussions on the present state of the negotiation, explains freely the resolutions of his Majesty's government, on the different points which have prevented the signing of the preliminaries. 1. The 2d, 3d, and 4th articles of the projet presented by order of the French government, are absolutely inadmissible. His Majesty will never consent that the preliminary articles shall announce, on his part, the engagement to restore to France and to her allies, the conquests gained over them during the war, unless these same articles assure to his Britannic Majesty the compensations admitted as an equivalent for such restitutions. If the French government will not, or cannot, take this engagement for its allies, in favour of whom it stipulates, advantages of such importance, the undersigned is authorized to invite it to obtain of its allies, as soon as possible, the authority necessary for that object. 2. The arrangements relative to Malta. His Majesty has only consented, not to occupy that island, but on the express condition of its independence on France, as well as that of Great Britain. The only means to succeed in this, is to place it under the guarantee or protection of some power capable of supporting it. His Majesty will not persist in desiring to keep an English garrison in the island, till the establishment of the government of the Order of St. John. He will be ready, on the contrary, to evacuate it, in the time which shall be fixed on for taking measures of this sort in Europe, provided the Emperor of Russia, as protector of the Order, or any other power acknowledged by the contracting parties, will efficaciously take on itself the defence and safety of Malta. 3. Portugal. As the French government insists that the limits of French Guiana shall extend to the river Arawari; and as the Prince Regent of Portugal has confirmed the proposition, his Majesty will give his consent, provided that the integrity of all the states of his most Faithful Majesty in Europe will be guaranteed in every respect. 4. Demerara, Essequibo, and Berbice. If the French government accepts the arrangements that his Majesty proposes on the preceding points, his Majesty will renounce the pretensions he had formed, that the ports of these establishments should be open to the commerce and navigation of his subjects.— 5. Tobago. From the disposition that his Majesty has shewn to get rid of every other difficulty, he cannot suppose that the French government will raise a new obstacle on the possession of the island of Tobago. It is an ancient property of his crown, the people are almost entirely English colonists, and it is not of any value or interest to France. The undersigned thus declares the opinion of the government of his Majesty upon the five points of difference which now remain to be regulated by the two countries. On examining the extent and importance of the territorial acquisitions made by France, and the conditions of the peace which she has concluded, with the powers despoiled of those advantages: on examining, on the other hand, the extent of the conquests of his Majesty, and the small portion of them which he keeps, it is not possible to doubt the moderation of his sentiments. His Majesty, however, is not less sensible of what he owes to the honour of his crown, and will never consent to conditions of peace, incompatible with the propriety and maintenance of the British empire. HAWKESBURY.

One paragraph in this note worthy of remark is, that in which Lord Hawkesbury formally declares, that the English garrison will not remain at Malta till the government of the Order of St. John is established; but that, on the contrary, it shall be evacuated within the time fixed for regulations of that kind in Europe, provided the Emperor of Russia, or some other power acknowledged by the contracting parties, undertakes the defence and security of Malta. To designate this power was the subject of discussion; but as the discussions did not produce a final agreement, the article was framed in such a manner as to leave it to the definitive treaty to specify the guaranteeing power. Some other points were also left to be decided by the definitive treaty. The preliminary articles of peace were at length signed 9 Vendémiaire; and it naturally follows, that every honest man who reads and meditates the official papers which are here offered to his attention, must acknowledge, that the constant moderation of the First Consul, and his solicitude to make and receive overtures of pacification, have been the principal cause of an event which is of such great importance to the tranquillity and happiness of Europe. It may be thought useful to insert a correct copy of the preliminary articles.

(Here follows the Preliminary Treaty, for which see Cobbett's Annual Register, Vol. I. Page 162; and for Part II. of these Papers, see p. 1857, of this Supplement.)

IMPOR-

IMPORTANT TRIALS.

HIGH COURT OF JUSTICIARY HELD AT EDINBURGH, *Jan. 6.—The Court met for the Trial of* LIEUTENANT-COLONEL GEORGE MACKENZIE, CAPTAIN JOHN M'DONOGH, ENSIGN GEORGE LANIGAN, SERJEANT ANDREW MACKAY, AND SERJEANT ALEXANDER SUTHERLAND, all of the late regiment of the Ross and Cromarty Rangers, accused at the instance of Daniel Ross, and three other private prosecutors, with concurrence of His Majesty's Advocate, of being guilty of the murder of certain persons, named in the indictment, on the 4th of June last, in the streets of the town of Aberdeen. Lanigan did not appear; and the court pronounced sentence of fugitation against him. All the other pannels were at the bar, and the indictment being read over, they pled *Not Guilty*.

After the usual forms of the court a jury was sworn in, and witnesses were called to substantiate the charge.—Garioch, merchant in Aberdeen, said, on the 4th of June, between seven and nine in the evening, he saw a number of boys throwing dirt and wet straw at one another, and at the people on the streets, sometimes at the citizens, and sometimes at the military. About eight o'clock he saw Col. M'Kenzie going towards the barracks at the east end of the street. About the same time saw Capt. M'Donogh. Between eight and nine frequently saw M'Donogh on the street, and boys and men throwing dirt at him. At one time saw a boy throw a whole handful of dirt in his face, so that the one side of his face was quite covered with mud. About the same time saw Ensign Lanigan. Several minutes before nine o'clock saw the guard brought out by M'Donogh. About this time saw one of the town serjeants in the street; he appeared to be persuading M'Donogh to take back the guard to the guard-house. About nine saw M'Donogh with soldiers on each side of him go towards the Town-house. The soldiers were carrying arms.—About ten minutes after this he saw a party of about 30 come from the barracks and join the guard. Before, and at this time, he saw Lanigan running through the streets, and making thrusts at the people with his sword. He could scarcely call the people a mob at this time. About a quarter past nine Lanigan was pulling one of the soldiers forward by the coat. The guard were running after the people with bayonets charged, and the people made no resistance; one or two of the guard fired at this time. He shortly after saw the whole regiment coming down from the barracks. M'Donogh had previously gone up to the barracks, and he returned with the men. When they came down one-third of the street, before they reached the guard-house, they were drawn up across the street. Witness then ran down to the street, and in the passage saw Serj. M'Pherson of the volunteers, whom he had desired to go to the provost and request the magistrates would come and take command of the military. He then returned to the window of the inn, and heard orders given by M'Donogh to prime and load. The men immediately, along the whole line, primed and loaded. The witness then saw from a window the soldiers farther down the street. They were in different parties, and firing. It was then almost ten o'clock. At one time he saw, while the soldiers were running in the streets, some of them run up to a man, who stood still, and they knocked him down, and struck him with the butt end of their muskets, and stabbed him with their bayonets. He was standing with his arms across, not doing any thing. Witness then went down to the street a second time, and saw one of the town serjeants, and sent again to the magistrates, desiring they would come out. Witness then went to the Town-house, and saw the provost and magistrates, and several other people with them. Witness said, good God, gentlemen, what are you doing here—why don't you come out? Before this, witness had seen two people fall on the street during the firing.—A boy fell at the west end of the plainstones. Witness thought the boy counterfeiting, as he did not think the military were firing ball. The other person fell nearly opposite the New Inn. Shortly after this the magistrates went out with the town serjeants. There was no firing after this. Most of the soldiers had gone to the east end of the street, and some of them went into a narrow lane. There was a serjeant behind the rest, whom the provost spoke to, and desired him to take the soldiers immediately to the barracks. He saw a serjeant, and the provost informed him that he was chief magistrate, and he must immediately make haste to the barracks. He answered, I am a soldier, and know no magistrates: upon which the provost gave him a blow with his batton, and said, will you obey that? After this they went all into the barracks.—After the first or second firing witness saw about a dozen of people throwing stones at the men who were standing at the guard-house. Being asked, what were the circumstances which occasioned disturbance that evening?—Witness answered, I consider that it was owing to the military having been insulted by the mob throwing dirt upon them. I mean both the officers and soldiers.—Dingwall, merchant in Aberdeen, said that near the guard-house, about 8 o'clock, he saw some town-serjeants, among the crowd, persuading M'Donogh to go to his lodgings. He appeared much agitated. After this witness saw M'Donogh haranguing the mob, sometimes in good humour, sometimes in bad, but saw no blows. He had his sword drawn most of the time, sometimes brandishing it, and sometimes under his arm. After this, witness saw Col. M'Kenzie very much intoxicated. He fell twice, and the other officers were supporting him. This made the boys laugh, at seeing the Col. fall, but nothing was thrown. M'Donogh then disappeared, and soon returned with the regiment, from the barracks, which he formed across Castle-street. M'Donogh had the command, and gave his orders very distinctly in these words: "With "powder and ball prime and load." This he repeated twice. A promiscuous firing then began at the north of the line. A brick-bat was thrown at one of the officers subsequent to the first firing.—Collison, merchant, Aberdeen, said

the mob might be about two or 300, mostly boys. He saw some of the soldiers coming from the barracks, loading as they were coming along. Witness and the others with him engaged to keep off the crowd from molesting the men, if M'Donogh would march them back to the barracks. The soldiers accordingly entered the lane that leads to the barracks, and were all out of sight, except two or three divisions, when the crowd gave a cheer, or derisive huzza. On this some person belonging to the military called out, "halt—front—charge," and instantly they came running back. There were no stones thrown at that time. Every body ran from them except one man, who was struck with the butt-end of the muskets, and also after he fell. By this time a number of others came up and continued firing irregularly, but they afterwards made two regular fires.—Copland, town-clerk deputy, said, he was, between eight and nine in the evening called out of the Town-Hall, and met M'Donogh on the stairs, who said he had been insulted, and shewed a mark on his shoulder, where some dirt had been thrown. After some conversation ordered the serjeants to follow the capt. and seize whoever should insult him. The witness did not hear any firing till half an hour after this, when a message came to the magistrates, and informed them the military were firing in the streets; upon which they all got up, but witness got first to the street, where he saw the military drawn up in a regular line, and some of them firing. He had not gone far when he found himself surrounded by military with fixed bayonets, upon which he ran into a close, and looked about, and saw the provost and magistrates surrounded with military. The provost shewed the insignia of his office, and cried out, "I am the provoſt of Aberdeen." Gibbon, writer, Aberdeen, said he was in the Town-Hall and sat close by one of the officers of the Ross and Cromarty regiment; thinks they made more free with the liquor than the rest of the company. Witness begged them not to ply the officer on guard with so much wine. One of the officers answered, "If the officer on guard is not able to do his duty I will do it for him."—Brown, late ensign in Ross and Cromarty Rangers, did not recollect whether the firing from the military or the throwing of stones from the crowd began first. He was standing close to M'Donogh, and is certain he gave no orders to fire, nor were any orders given, as he must have heard them. There was no firing till the men broke the line, and commenced the irregular firing; if there had been any he would have heard it.—Cooper, serjeant in the 1st regiment of foot said he saw Sutherland walking through the street with a woman. The crowd fell upon him and the woman, and threw dirt and stones at them; he took his sword out of the belt to defend himself, and soon after a coporal's guard came and took him off. Witness saw M'Donogh and Mackenzie about six o'clock, on the street. The crowd began throwing dirt and dead cats at the capt. who turned round, and asked what offence he had given them? Witness said, in no rejoicing day can a soldier walk the streets of Aberdeen without being molested. When M'Donogh was attacked, he took off his hat, and spoke very mildly to them; witness saw him several times endeavouring to pacify them. When the men marched quietly off towards the barracks, the crowd followed them, throwing at them whatever came in their way, and damned them for Highland b——s, to go to their barracks. The men then left their officers, rushed into the streets, and began to fire. He saw a corporal cut with a knife by a butcher early in the evening.—Thomson, painter, of Aberdeen, said he was on the Castle-street, and saw John Ross shot on the plainstones. The party who fired were headed by a serjeant. Being asked, if he would know the serjeant he pointed out M'Donogh as being like the serjeant whom he saw, Witness saw the serjeants levelling their pieces, and directing them where to fire.—Affleck, late adjutant of the Aberdeen Volunteers, was in Castle-street twenty minutes after eight, when the soldiers were beginning to form across the street. Orders were given to prime and load, which was obeyed. They went through the motions very regularly; and witness was certain from the motions of the men, it was ball cartridge. People on the street were noisy, but did not observe stones thrown. Before the firing began, M'Donogh went into the crowd, and after he came back the firing took place. Shots and stones took place at the same time. About thirty shots were fired, and a number of people wounded where he was. Serjeant Mackay was very active. He was using every means to prevent the men from going to barracks. Witness told him, that he was acting improperly. He got into a greater rage, and made a spring at the witness, who seized him by the arm. Serjeant M'Kenzie then came forward and got Mackay pacified, and persuaded the men to go to the barracks, and Mackay then behaved well, and did all he could to get the men to go to the barracks. He was with the last division that fired. A rifleman, named Ross, was killed at that time.—Littlejohn, builder in Aberdeen, said he saw a great number of soldiers come from the barracks; M'Donogh was in the crowd endeavouring to pacify them. The soldiers were ordered to march back to the barracks, and were going away, but returned again and commenced firing. Witness spoke to M'Kenzie to take off the soldiers, but he refused. Mackay then came up, and was more violent, and much enraged.—He had before seen Mackay leading on the men. The crowd on the streets that day was not greater than usual, nor more riotous. Among the first things he heard was the crowd bidding M'Donogh order his men off. He answered if they behaved in a civil manner he would, but if they insulted him, he would attack them.—Hadden, of Aberdeen, saw Mackay in the evening coming out of the barracks, after all the firing was over. He desired him to return, but Mackay refused. Upon which he, the witness, shewed his chain, and told him he was the Provost of Aberdeen. Mackay replied, "You are no officer, and I "don't care for a magistrate." The witness then seized him, and forced him back to the barracks. The first account he heard of what was going on in the streets was brought to him by two gentlemen, while he was in the chair at the Town-hall. They informed him that there had been some disturbances in the streets with the boys. He instantly went out along with two of the magistrates. This was not five minutes after he got intimation of the affair. He that moment gave orders

to the town serjeants to go and seize the commanding officer on the streets, be he who he may. A firing took place before he got up, and two persons were shot while he was in the streets. He hastened on, and rushed in among the military; they were standing very thick, with fixed bayonets, which he was obliged to push aside to get through. At this time a number of them surrounded him and pointed their bayonets, so that he expected to be run through; but, upon shewing his chain, and informing them he was the Provost, they formed a guard of protection round him. After this he went to the Town-house to see what could be done, and M'Donogh was then brought there a prisoner.—The witness then went out to the streets again, and found the military had retired to their barracks, where he immediately repaired, as he had formerly stated.—Dickie, glazier, Aberdeen, was in Castle-street in the evening there was firing, which he endeavoured to avoid by going along the New Whynd. He was interrupted by a serjeant, who struck him with his sword in the scabbard. A private, who was with the serjeant, while the serjeant held him, stabbed him in the side—He pointed out Sutherland as the serjeant. It was about nine o'clock when he was stabbed.—M'Donald, surgeon in the late Ross and Cromarty regiment, proved, that Mackenzie and M'Donogh were severely hurt by the mob, and that a grenadier was wounded in the back of his head by a gun-shot. M'Donogh's servant came to witness, and requested him to come and see his master, and with great difficulty he got to his lodgings, as one of the town's people attempted to knock him down with a large stone. Recollects six or seven were wounded, one with a sharp pointed instrument.—The evidence for the prosecution being closed, the witnesses for the prisoners were called. Ensign Haly, of Ross and Cromarty Regiment, said, that he left the Court-house with M'Donogh, and crossing the street, they were much annoyed by the mob pelting. M'Donogh expostulated with the mob in a conciliatory way. They went to the guard-house, and found the officer there much covered with filth, who soon ordered the guard to turn out. The capt. then took a file of men to accompany him to the Council Chamber. The lieut. col went towards the mob, using conciliating expressions. The mob pressed round the lieut. col. and he appeared to be then in danger. The guard pressed into the mob to rescue the lieut. col. A violent pelting then commenced by the mob against the officers, and M'Donogh was entirely covered with filth. Witness took shelter behind a sentry box, the sentinel being forced from his post. The lieut. col. then ordered capt. M'Donogh to proceed to the barracks, and bring down the regiment to reinforce the guard. Witness went also, and found a party of the men drawn up, and M'Donogh at their head, in front of the barracks. Shortly after the greater part marched out. Witness went to Castle-street, and found the whole regiment drawn up in line. He then heard M'Donogh give this order—"Order arms, and stand "at ease." A great crowd were in the streets very riotous, and close upon the men. M'Donogh then took off his hat, went in among the crowd, and addressed them in very conciliatory terms. He wheeled them, and ordered them to countermarch. They began to do so, and witness ran on before them. He had not gone far when he heard a sudden shout from the mob. He turned round, and saw the soldiers rushing in all directions upon the mob. He heard no word of command. This was the first firing he heard. Serjeant Mitchell, of the Ross and Cromarty Rangers was in the barracks, and received orders to send a reinforcement to the guard. But learning from some of the men who came to the barracks that some of the officers were murdered in the town, he sent off a party. He then went himself, and met M'Donogh, who took the men to Castle-street; but they had scarcely arrived there, when there came a great force of the men from the barracks, in confusion. M'Donogh took off his hat and addressed the people. He then ordered the men to prime and load with cartridge. — He again went and spoke civilly to the people, and soon ordered them to shoulder arms. They were then marched back to the barracks, but did not hear M'Donogh give the orders to march. After this M'Donogh returned again to the people; the witness followed him into the crowd for fear of danger. The captain went forward, and spoke with some people. A great number of stones were then thrown, several of which struck the witness. —Corporal Little, of the 14th foot, saw a mob in the evening of boys and men who were riotous. Saw Sutherland, near the New Inn, attacked and struck with a stick. He was defending himself with a sword in the scabbard. His clothes were much dirtied. Saw M'Donogh struck on the neck in the street, and the mob were throwing dirt at him, and abusing every person they saw belonging to that regiment. This was before the reinforcement came from the barracks, and none of the guard fired until after the reinforcement came.—Macnah, late servant to M'Donogh, about nine went to his master's lodgings to receive orders, and there he heard there was a disturbance in Castle-street. He then went to Castle-street, and saw his master standing with his hat off addressing the crowd. Soon after a shower of stones came from the crowd. Witness, conceiving his master's life in danger, ran to him, and seizing his arm, led him away. In a short time he saw the soldiers abusing and striking an inhabitant. The capt. and witness immediately rushed forward to his relief. The capt. then cried out, "For God "Almighty's sake, men, return to your barracks;" but the men paid no attention to him, but began to fire. The capt. went in front of them, and with a loud voice called out, "halt." After firing some time two town serjeants appeared, and said to M'Donogh, "are you commanding officer?" He replied, "he was, but he could not command "them." The capt. was then made prisoner, and on his way to the Town-house he was much abused by the crowd. On the capt's. way to the Town-hall, while the crowd were abusing him, he said, "Ah, my good fellows, you little know "me, or you would not use me so."—Mackenzie, 42d regiment, late in the Rothsay and Cromarty regiment, at the time the firing commenced, was in the same section with Sutherland; saw him active to prevent some of the men from firing three or four times. Sutherland's sword was in his hand, but in the sheath. Heard him bid the men not fire, but return home. This was a little after nine o'clock, when the town's people were pelting them with stones, and when the military were beginning to fire, after they had broke their ranks, and about five minutes before he saw

Ross killed.—Robertson, sadler, in Perth, said, when the men came on at the charge, he saw Sutherland endeavouring to prevent them, and the same at the firing. The witness had presented to fire, when Sutherland stopped him, and struck up the muzzle of his musket with his sword. —Macdonald, of the 42d regiment, saw Mackay when the men were marching to the barracks, and again when some shots were fired—he was standing with his face towards the men, keeping them in their ranks. Fraser, of the 42d regiment, said he saw Serjeant Mackay prevent one of the men from firing after he had come to the present, by driving up the muzzle of his musket.—Col. L. M'Kenzie, late of the Ross and Cromarty fencibles, said he always thought Mackay a well behaved and sober man, of great humanity, and obedient to his commanding officer. Sutherland was one of the best behaved men he ever knew; he had only been three months in the regiment when he was promoted to a serjeantcy on account of his good behaviour. Witness has always known M'Donogh to be a man of honour and a gentleman, and esteemed him to be a man of humanity—he was in the Life Guards before he came to the Ross and Cromarty Regiment. — Lord Craig proceeded to sum up the whole evidence. His lordship recapitulated the leading features in the deposition of every witness, and minutely and candidly pointed out the bearings and tendency of the whole.—The Jury returned their verdict Lieut. Col. M'Kenzie and Captain M'Donogh, *Not Guilty*. — Serjeants Mackay and Sutherland, libel *not proven*.

Trial of EDWARD MARCUS DESPARD, *for* HIGH TREASON. *February 7th*, 1803.

Charge of Lord Chief Justice Ellenborough to the Grand Jury, on the 21st of January. —After some introductory observations his lordship proceeded:—The law of this land, from the earliest period has, with an anxiety in a considerable degree proportioned, but, at present, from various causes, hardly adequate, to their supreme value and importance, watched over, and protected the life and personal safety of the sovereign. It has considered, in his instance, the mischievous workings and imaginations of the mind, the malignant purposes of the heart, when directed towards his destruction, and manifested by any act plainly done in prosecution of such purpose, and conducing to its execution, as equally criminal in their nature, and has rendered them equally penal in all their consequences, with the actual perpetration of the atrocious deed itself, which is the object of such imagination and purpose. —To investigate and ascertain the existence of such a purpose in the mind of the person charged therewith, and the nature and tendency of the acts done by him in the supposed prosecution of such purpose, and which acts are, in high treason, denominated "overt-acts," is at all times, the weighty care and duty of a jury, charged with the important function which you are called upon to exercise.—What should be deemed sufficient "overt-acts," of the particular head and species of treason, "of compassing and imagining the death of the king."—In other words, what acts amount to legal evidence of the existence of such a purpose, in the mind of the person charged therewith, has been occasionally, heretofore, the subject of dispute and controversy. Long, however, before the passing of the late statute of the thirty-sixth of his present Majesty, it had been judicially settled, by the most grave and revered authorities of the law, that all measures adopted for the deposing of the king from his royal state and dignity, all measures of force directed against his royal person, either for the taking possession thereof, or subjecting it to restraint and imprisonment, are impressed with the heinous character and stamp of this denomination of treason, and entitled to be received as the strongest and most cogent evidence thereof. — It has also been settled by the like high authorities, that any consultations and meetings of persons, in order to effect the above purposes, although nothing should be ultimately done, and although the whole scheme and plan should prove ineffectual and abortive, that any agreement or assent given to overtures or proposals of that kind are all competent overt-acts, of that species of high treason, which consists in compassing and imagining the death of the king. All pretence, however, for doubt upon a subject, which, from its superior importance, deserved to be cleared of any remaining shades of uncertainty, which might be supposed to obscure it, has been, for all succeeding times, distinctly removed and obviated, by the prudent provisions of the late statute of the thirty-sixth of George III. cap. 7, which, amongst other things, enacts, "that, if any person or persons whatsoever, during the natural life of the king (and for a limited time afterwards) should compass, imagine, invent, devise, or intend death or destruction, or any bodily harm, tending to death or destruction, maim, or wounding, imprisonment, or restraint, of the person of the king, &c. every such person or persons, so offending should be deemed to be a traitor and traitors, and should suffer and forfeit, as in cases of high treason." To compass and imagine, therefore, the imprisonment, or personal restraint of the king, is now, by the express letter of a clear and positive statute, placed as a substantive act of treason, upon exactly the same ground with the compassing and imagining of the natural death of the king, as that crime stands under the very letter and terms of the statute of the twenty-fifth of Edward III. itself. The same indeed may be said of all the other treasons, which are specifically enacted in the statute of the thirty-sixth of George III. and I only select, by way of instance, those of "compassing, imagining, devising, and intending, the imprisonment, and restraint of the person of the king," because it is probable, that the descriptions of treason I have mentioned, together with that of compassing and imagining

his death, will be those to which your attention will be more particularly called, by the evidence which will be submitted to your consideration. I have already stated to you, that such acts as sufficiently indicate an intention to commit any particular species of treason, and conduce to its execution, are properly overt-acts of high treason.—All overt-acts which are meant to be given in evidence against the prisoner, are justly and humanely required by the seventh of William III. cap. 3, to be expressly laid in the indictment against him, in order that he might thereby be apprised of the substance of the charge which he is called upon to answer; but the numerous particulars into which such a charge will unavoidably extend itself in point of proof, need not be detailed on the face of the indictment.—It is enough that the nature of the overt-act relied upon, be specified with reasonable and convenient certainty; and, when this is done, the various other circumstances, with which the overt-act is immediately and necessarily connected in point of fact, and the different means employed for effecting the same, need be no further stated. Indeed, the several other matters may properly be considered as being only so many parts, appendages, and results of that which is before stated, and as virtually included therein.—I have said thus much in respect to the form of alleging the overt-act in an indictment for high treason, with a hope of affording you some assistance towards clearly understanding the real substance and form of that indictment, which will be laid before you, couched, of course, in the technical language used on such occasions; and that you may also be the better enabled to judge whether it is accompanied by the competent kind and degree of proof, which ought to be adduced in support of it. I will further suggest, for your information, what the law requires on this head. In the first place, the law requires that the crime be tried by a jury of the county within which it bas been, in the whole, or in part, committed. Some one overt-act of the particular species of treason, charged in the indictment, that is to say, of the compassing and imagining the death of the king, or of levying war against him, or the like, must be proved by some one witness, to have been committed within the limits of that county, in which the indictment is to be preferred, and, by a jury of which, the trial is to take place. For example, some meeting or consultation for the purpose of forwarding the objects of the treason, must be proved by some one witness, to have been held, or some other act done by the party or parties, meant to be affected thereby, at some place within this county. This is merely necessary for the purpose of investing you, the jurors of this county, with legal competence to enquire of the offence charged. When this proof is made out, any other act, in prosecution of the same species of treason, wheresoever committed, within or without this county, and by whatever witness proved, either the same or a different one, may be received in evidence without objection: I mean as far as respects the locality of such acts.—The law also requires, in the finding of indictments by the Grand Jury, in the first instance, as well as upon the trial of them afterwards by another jury, to whom that province belongs, that proof of overt-acts shall be made by the oath of two witnesses, either both of them to the same overt-act, or one of them to one, and the other of them to another overt-act, of the same species of treason. If, however, the overt-act charged should be "of any direct attempt," that is, of any attempt really made against his majesty's person, "whereby his life might be endangered, or his person suffer bodily harm," in that case, by the express provision of a late statute of the thirty-ninth and fortieth year of his present majesty, the person charged with such direct attempt, "may be indicted and tried in the same manner, and according to the same course and order of trial in every respect, and upon the like evidence, as if such person stood charged for murder." I am not, however aware, that any such direct attempt is likely to become the subject of consideration upon the present occasion.—It is unnecessary for me to suggest any thing further to you as to the frame of the indictment, or the number or nature of the witnesses by whom it is required to be supported. I will, however, trespass on your attention for a few moments longer, upon another subject, to which it has not been hithero drawn. I mean, as to the probable nature and quality, and the proper legal effect of those acts and circumstances, which are about to be laid before you in evidence.—The evidence of accomplices, though unquestionably competent, is to be received and acted upon with a just and sober degree of jealousy and caution; and, unless the testimony derived from this source, be of such a nature as to carry internal evidence of its own truth along with it, or be confirmed by other evidence of a less-exceptionable description, it affords no safe and satisfactory ground for conclusions, by which the lives, fortunes, and honour of others, is to be materially affected. In weighing, therefore, the evidence of accomplices, a jury, charged with a determination of those important issues in their final and decisive result will expect to find such a degree of consistency in the testimony of each witness, such a degree of general conformity between the different relations of the several witnesses collectively taken, as to the nature, means, and objects of the conspiracies such a degree of confirmation from other collateral and concomitant facts and circumstances, and such a coincidence in the whole, with the main rules of ordinary probability, by which our belief is governed in other cases of a similar nature, as to render substance of the details, delivered by such witnesses, justly credible; and, if in the result, the substance of the facts related by the witnesses, shall appear to be such and so confirmed

as I have above described, juries will act upon them as deserving of that credit, which their own minds, proceeding with the salutary degree of caution and reserve I have already recommended, shall be induced to give them.—In applying these observations, you will bear in mind, that it is by another jury that the guilt or innocence of the persons accused, is ultimately to be decided; and that to you is only committed the charge of diligently attending and providing, in the first instance, that a reasonable and probable ground of guilt be made out, sufficient to warrant you in putting the persons charged therewith upon their trial by that jury, which is, in the last instance, and upon a full hearing of the evidence on both sides, to pronounce a final verdict of condemnation or aquittal.—At present, it is only necessary to add, in order to obviate any misconception on the subject, which might affect the discharge of your own immediate duty, that to refuse its due and proper degree of credit to testimony, drawn from the source I have alluded to, would be to render the crime of the conspirators, and the extent of the conspiracy, the effectual means of its own protection and impunity. A principle of distrust, in respect to the evidence of accomplices, pushed to so extravagant an excess, would be equally repugnant to the obvious dictates of common sense, and the ordinary rules by which criminal justice is administered.**** — If the same desperate chance of ultimate and effectual success in the object of the conspiracy, shall, in your judment, appear to have preceded and accompanied this, which has attended many other dangerous and equally abortive treasons, you will, on that account, require a greater degree of evidence to prove the existence of a conspiracy, formed and nurtured under such apparently hopeless circumstances; but when such proof is made to your satisfaction, your diffidence, on this head, will perhaps be succeeded by other sentiments—by those of surprise and horror. Of surprise, at the extravagant boldness of the enterprise—and of horror, at the tremendous consequences which its success might have occasioned.—****—

On the 7th of February, the cause was opened by the *Attorney-General*, who was followed by *Serjeant Best* and Mr. *Gurney* in behalf of the prisoner, and the *Solicitor-General* for the crown. The pleadings being closed, and the examinations of the evidences concluded, lord Ellenborough proceeded to sum up, and after some prefatory remarks, spoke as follows:—The crime with which the prisonser is charged is the crime of High Treason, in respect of which he is charged with three distinct and substantive species and heads of that crime; one of them, viz. that of compassing and imagining to put the king to death, and the other two species and heads of treasons, viz. conspiring, compassing, devising, and intending the imprisonment and restraint of the person of the king, and conspiring, compassing, &c. to deprive and depose the king from the stile, honour, and kingly name of the imperial crown of this realm. Of each of these several species of treason, there are eight distinct overt-acts charged against the defendant, and the same kind and description of acts are specifically and successively charged and assigned in this indictment as overt-acts of each of these three several heads of treason. — The overt acts, or in other words the open deeds, by which the treasonable purposes imputed to the defendant are alledged to have been manifested and attempted to be carried into effect by him are: First, the conspiring to seduce certain soldiers named in the indictment from their duty and allegiance to his majesty, and to unite with the defendants in a traiterous attempt to subvert the government, and to destroy the king. Secondly, the conspiring to administer to certain persons oaths and engagements intended to bind them to become members of, and to assist in certain traiterous associations and confederacies formed for the purpose of subverting, by arms, the government, and deposing and destroying the king. Thirdly, the obtaining, procuring, and keeping in their custody cards and papers containing the form of oaths and engagements to the above effect, with intent to administer the same for the purposes above-mentioned. Fourthly, the actual administering of such oaths to certain persons for the same purpose. Fifthly, the meeting, consulting, conspiring, consenting, and agreeing, by laying in wait, and by attacking the person of the king, to assassinate, kill, and murder his majesty, and threatening, proposing, and consulting of the ways, manner, and means, and of the time and place of attacking his majesty, in order the more easily to assassinate and kill him. Sixthly, the meeting, treating, consulting, and conspiring, with force and arms to attack the Bank of England and Tower of London, and to raise insurrection, rebellion, and war against the king within the kingdom. Seventhly, the meeting, consulting, and agreeing to procure arms, ammunition, &c. in order the more effectually to attack and assassinate the king. The eighth and last overt-act, consisting in a similar conspiracy to attack the king when he should next go to meet the parliament; to attack and seize the Bank of England, the Tower of London, and the arms therein; that the conspirators should arm themselves therewith to destroy the king's force, and to stop and detain the mail coaches, as a signal and notice of their proceedings to other parts of the kingdom, and as an incitement to other traitors to raise and make insurrection, rebellion, and war within the kingdom.—The principal mischief intended to be effected, and the main object of the design imputed to the conspirator by this indictment, is, you will observe, the destruction of the person of the king, his restraint and imprisonment, or his deposal from his royal state and dignity; and all or some of these treasonable objects are stated to have been attempted to be effected by means of the various consultations, meetings, seduction of soldiers, and the like, which I have been detailing to you from the indictment, and which have been the subject of the evidence laid before

you. Before I state the evidence adduced on the part of the crown, in proof of the overt-acts laid in the indictment, which you already understand to mean certain open deeds of the party, done in prosecution of the treasonable purposes imputed to him, and manifesting the existence of such purposes, I think proper to state a word or two upon some of the topics which have been touched upon on the part of the defendant, as to the quality of the crime imputed to him, and as to the nature of the proof by which the charge thereof is supported. It has been urged that the crime consists only in words, and that words are not of themselves overt-acts of high treason. If it be said that loose words, referrable to no particular design, words merely calumnious, or seditious words, expressive of an irritated and angry mind, and of sentiments highly indecent and criminal in a subject towards his sovereign, but words neither indicating or conducing to the execution of any definite purpose of a treasonable kind on his own part, nor persuading or exciting others to concur in the execution thereof on theirs, I readily admit that loose words of this description are not to be conisdered as constituting overt-acts of high treason, and that it would be too much to infer from the careless, though highly blameable use of expressions of this kind, so mischievous and abominable a purpose as the destruction of the king. But if words of this kind are used at meetings held for the purpose of forwarding designs of a treasonable nature, and if they are addressed to persons with an intent to excite and to confirm them in the prosecution of measures which have for their declared object the assassinating or deposing of the king by force and arms, and where words are the immediate vehicle by which treasons, such as these, are communicated, and by which they are to be carried into full completion and effect, it never was, since the promulgation of law in this land, ever doubted that words of this nature, uttered for such a purpose, at such meetings and consultations, and being themselves the very instruments and means of exciting other persons to take part in measures which has for their end and object the personal destruction of the king, were in their very nature and essence the clearest and most absolute overt-acts of high treason that can be stated. This point never yet admitted of a doubt; it never was questioned—it never can be so.—Another subject has been discussed before you, respecting the credit due to the testimony of accomplices, which is certainly a matter of nice and delicate consideration. That an accomplice is a competent witness, and that, if he is believed, you may, upon his evidence, found the most important conclusions, there can be no doubt. You see him stand before you sworn as a witness: if he had not been competent, if he were a person standing under such circumstances as to be wholly unworthy of credit, it would have been a dereliction of duty on the part of us who sit here; it would have been a gross dereliction of duty in those, who have, on former occasions, occupied similar seats in other courts of criminal justice, when witnesses of the same description have been called before them, not to repel such witnesses at once from the book on which they were about to be sworn, and to tell the country that they ought not to be received:—but they are and always have been received. Their testimony, however, is to be received and acted upon with an attentive and scrupulous consideration of its merit and value: in each particular instance, they come sullied with some degree of contamination, by a participation in the very crime they impute to others; but the witness who comes thus *prima facie* contaminated, may be so confirmed by the consistency and clearness of his own narration, and still more by its conformity to and coincidence with the substance of the testimony delivered by others, not likely to have conspired with him in the crime itself, or to have had the means of concerting and colluding with him as to the matter of his testimony, and still more, if such a witness is found to be confirmed by a variety of collateral and independent facts and circumstances, involving the names, characters, and transactions of multitudes of persons, and if, at last, the whole of his testimony should appear to be broken in upon by no one fact of contrary testimony, during a discussion and hearing occupying so many hours as this has done, and in the course of which the names of so many persons have been brought forward as actors in very extraordinary scenes, described as having passed in so many places, I say, if the entire narrative as to persons, places, and things, not in itself inconsistent or improbable, should ultimately appear to be falsified in no instance whatever, in such case, a person originally standing under some degree of doubt and suspicion from the nature of his situation, and from the quality of his testimony, becomes, at last, entitled to be believed in the fullest manner, accredited and confirmed as he then is in the matter of his testimony, by such a body of collateral evidence, as I have, by way of supposition, assumed, and you may probably consider as having been given in the present instance. In the case of Charnock, one of the conspirators in the assassination plot in the time of William the Third, which has been cited to you by the counsel for the crown, Lord Holt says, that "conspiracies are deeds of darkness as well as of wickedness, the discovery whereof can properly come only from the conspirators themselves;" and that the evidence of accomplices "has always been allowed good proof in all ages, and they are the most proper witnesses, for otherwise it is hardly possible, if not altogether impossible, to have a full proof of such secret contrivances," and, he adds, "such discoveries are to be encouraged in all governments, without which there can be no safety." Besides the connexion and communication with the treason, it may be different in different individuals; in some it may be such as only to constitute a case of misprision of treason, or it may be treason, if the concealment of and apparent concurrence in the acts and proposals of

others was such, as to afford actual treasonable measures proposed. Such conduct would, in that case, implicate the person in the crime, as a principal in the high treason, and not merely as a party guilty of misprision, by concealing the objects of a traiterous conspiracy, after full knowledge of them.—But there is another class of persons, which cannot properly be considered as coming within the description, or as partaking of the criminal contamination; accomplices, I mean persons, entering into communication with the conspirators, with an original purpose of discovering their secret designs, and disclosing them for the benefit of the public. The existence of such original purpose on their part, is best evinced by a conduct, which precludes them from ever wavering in or swerving from the discharge of their duty, if they might otherwise be disposed so to do, as in the case of one who bound himself to his duty by an early communication to another; and received from him directions as to the steps which he should afterwards pursue, if he entered into and continued in the apparent prosecution of the purposes of the conspiracy; with this view and object he is not an accomplice, although, perhaps, a great degree of objections or disfavour may attach to him on other grounds, for certainly no person of very delicate feelings, would choose to go on from day to day, apparently forwarding the purposes of a conspiracy, in order that he might afterwards disclose it and bring the parties concerned in it to justice; but still, whatever may be the merit or demerit of this species of conduct on other grounds, it is not the case of an accomplice.—Having made these observations to you, as to the nature of accomplices and the circumstances under which accomplices may justly be considered as credible witnesses, and which observations you will of course apply, as far as they are justly applicable to the witnesses in question, believing their story, if it is consistent and probable in itself, and confirmed by the testimony of others, and still more, much of that confirmation be derived from pure and unsuspected sources, and disbelieving it if it be inconsistent, improbable, and unconfirmed by other evidence. — **** — Here his lordship having summed up the evidence proceeded.—This is all the evidence that has been given on the part of the prosecution. Gentlemen, you were very properly told that this case does not involve any question of law. I have already observed to you, upon the point that was made by the counsel for the prisoner, namely, that this was a case of treason, where the overt-acts proved consisted merely in words, and that mere words could not amount to an overt-act of treason. If this evidence is true, besides the other overts-acts of meetings and consultations seduction of soldiers, administering of these unlawful oaths for the purposes of this conspiracy; the words were used as the means, instruments, and vehicles, for carrying the avowed treasonable objects of the parties into effect, by proposing, arranging, and settling a plan for seizing the Tower and the Bank in the first instance, and for assassinating his majesty, and overturning the constitution in the second.—To the observations made by the defendant's counsel respecting the testimony of accomplices, I have already adverted. It is singular enough that they expressly admit that a traiterous scheme and conspiracy did exist somewhere; but wish you to believe, the prisoner at the bar never concurred in, or was a party to such conspiracy. If there be treason, whose treason is it if it be not his? If he be not the traitor, who are the persons that are so? If the witnesses are worthy of credit to the extent of proving the existence of the treason itself, why are they not also worthy to be believed as to the persons of the traitors? The safer and more consistent course would certainly have been to deny, to their testimony, all credit whatsoever, either as it established the crime, or as it affected the supposed criminal. If indeed, they were unworthy of credit in the general course and habits of their lives, and have so demeaned themselves that they were not entitled to be believed upon their oaths, it was not only competent and highly proper for the prisoner to have called persons to prove that the witnesses produced against him were persons wholly unworthy of credit, and not fit to be believed upon their oaths. Persons tried for high treason being, in possession of the names of all the witnesses to be brought against them, for more than ten days before their arraignment, have ample and more convenient means of confronting or discrediting witnesses, than any other description of persons who are the objects of accusation and trial; with all these advantages of the law in his favour, no evidence of that kind however has been offered, or attempted to be offered, on the part of the prisoner, against any one of all these several witnesses; they stand therefore before you not impeached, or even attempted to be impeached, in the usual and ordinary way in which witnesses grossly unworthy of credit are, properly attacked and discredited. As to the objection that the bulk of the evidence given in this case proceeds from accomplices, it is certainly true, that the evidence in this case rests principally (as in some cases it does and must almost entirely) upon the evidence of accomplices. What was said by Lord Holt in the trial of Charnock, Keys, and King, in the state trials alluded to by the Solicitor General, comprises, in a few words, the good sense and the law upon the subject. "It is certainly," says Lord Holt, "a very hard matter, if not impossible, to discover crimes of this nature, if the "accomplices in those crimes shall not be allowed to be good witnesses against their fellow conspirators." And in answer to an objection of the prisoner, "that though an accomplice was a legal witness, he was not a "good one;" Lord Holt adds, "he is a very "good witness, if he be a legal witness, but "the credit of what he says, in all other cases, "must be left to the jury, who are judges of "the matter of fact, and of the credibility of "witnesses." In that case the three most, and I may say almost the only material witnesses,

were all of them, principal conspirators in the treason; though one of them, Pendergraft, drew back early, from a detestation of the intended measure of assassinating the king; and there was no such confirmatory evidence of persons not concerned in the criminal project, as has been produced upon the present occasion. You have had proof from several persons of their meeting at public houses; in one instance, the landlord of the Coach and Horses, in High-street, Whitechapel, who was present, confirms not only the circumstance of their being at his house, but various other particulars related by Windsor, as having passed on that occasion; and which are also further confirmed by the two soldiers, Campbell and Dean, who were also present, and invited by the prisoner to partake of the bread and cheese he had sent out for. Windsor and Emblin are most materially confirmed by the landlady of another public-house, who overheard those very extraordinary and marked expressions of the prisoner respecting his heart being callous, which you cannot have forgot. So that in this case, such of the witnesses as are properly accomplices, have been confirmed in a manner in which they have hardly ever yet been confirmed in other cases. Some of those who have been called accomplices, are not strictly speaking such. If Windsor entered into this scheme with the original purpose of making a timely discovery of the mischief, and that he did so, his immediate communication to Mr. Bownas, the advice he received from him for his conduct in the business, his subsequent voluntary communication to Mr. Stafford, his voluntary appearance at Union Hall the next day, his uncompelled discoveries appear very strongly to indicate; upon that supposition, I say, he is not strictly an accomplice. Though the concern he had in the business in continuing so long, and mixing so intimately, and fowarding with so much apparent good will and alacrity, the objects of the conspiracy, certainly exhibit him to you as a person of no very delicate character and feelings; and if the testimony he gives had been materially confirmd, as it has been, and if his general credibility as a witness upon oath, had also been impeached with effect, I should certainly have advised you to pause upon the testimony of this witness, and to think well of the degree of credit you ought to give it, before you believed it. Emblin receives, you will recollect, confirmation from Mrs. Plowman, as to the meetings at her house on the 12th of Nov. and the memorable language used by Col. Despard there, as well as Windsor does; and Emblin is neither contradicted or discredited in this, or any other part of his story. If then a treasonable conspiracy for the imputed purposes existed at all, and it is admitted that it did, who is the traitor if the prisoner be not the person. He is found in a society, which, from his former situation in life, his former character and habits, seems to have been most unfit for him, and ought certainly to have been most distasteful to him. An officer, heretofore, of considerable rank and command in his majesty's service, is found in daily conversation with soldiers of the lowest class, at public-houses of the meanest resort, in company with the commonest workmen and labourers, yet no account is attempted to be given of the reasons which brought him to these places, or mixed him in this extraordinary sort of society. What, it may be asked, led him to the Flying Horse, at Newington? What to the Oakley Arms? What to Tower Hill? What to the Coach and Horses, at Whitechapel? What induced him to sit down there with such men as Windsor, Winterbottom, the two soldiers, and Herron? What, to partake with some, and to offer to others, the humble fare he sent for upon that occasion? What honourable end or purpose could he aim at promoting by such degrading intercourse and connexions? If there were any end or purpose which he could safely avow, it was incumbent upon him to have shewn it in evidence to you. But has he explained in evidence, or even attempted to explain in argument, the motive of so extraordinary a conduct. Have his counsel offered one plausible excuse for his presence on these occasions. On the contrary, you are left without the shadow of a reason, apology, or excuse, suggested on his behalf, to resist the inferences naturally resulting from such a conduct as his, as well as you can. He affords you no assistance on this head, nor in any degree enables you to draw a more lenient and favourable conclusion from these facts, than what they seem to suggest to you. It would have been matter of great satisfaction to me, to have been furnished with some materials of explanation to lay before you on the part of the defendant, to account for all these apparent untoward circumstances, but I am furnished with none. The case, as far as I am able to discover, contains none. The only evidence offered on his behalf, is, as to his character, and that is, as applied to the particular point of time which it respects, as high and unexceptionable as can be given of any human being.—****—*Here his lordship stated the evidence which had been given in favour of Col. Despard's character.* — Now, Gentlemen, this is the whole of the evidence, on the one side and the other; the first thing necessary to be seen and attended to is, that there has been an overt-act of some one of the treasons charged in the indictment proved by some one witness to have been committed within the local limits of this county. The next is, that there be two witnesses to the same overt-act, or one witness to one, and another witness to another overt-act of the same species of treason. Now the meetings and consultations at these several places, and the transactions which passed there, if the witnesses to them are believed, are all spoken to by more than two witnesses, so that the competence and sufficiency of the proof to bring the case in point of locality of crime, and the number of witnesses necessary to proof it according to the requisition of the statute, are perfectly satisfied.—The only remaining question for your consideration is, whether you believe the evidence of Emblin, of Francis *, of Blades, and of Windsor, all or which

* *Francis*, in the course of his testimony states that on a certain day, conversing with Despard concerning the taking of the Tower, Despard

of them, as to any one of these meetings, conversations, or actings imputed by them to the prisoner at the bar. If you believe Windsor and Emblin, the guilt is made out beyond a possibility of question; if you have any hesitation about believing them, look at the confirmation which attends them First, where is this person actually taken? He is taken at the very place, and in company with the very persons, at which and with whom, according to the account of these witnesses, he is in the habit of meeting, conversing, and consulting for these purposes; the men found with him are taken with this very furniture and apparatus of mischief about them, of which we have heard so much, I mean the printed copies of these abominable oaths; he is apprehended almost in the act and attitude of command, and the rest who where present in the act of obeying him. You recollect that when the officers came in he advises the company to go out of the room one and all; that he marches towards the door, and they all rise and follow him. In addition to these circumstances, you find those various circumstances of confirmation scattered through the evidence upon which I have observed already; in the instance of Windsor, you find that he, on the 12th of Nov. is introduced by Broughton to Col. Despard, at the Flying Horse, Newington; this meeting of these parties, and the circumstances attending it, are also proved by the landlady. The prisoner desires Windsor to meet him at the Tower, on Monday, the 15th of Nov.; he meets him, he goes to the Two Bells, at Whitechapel; this stands only on the evidence of Windsor himself, but as to the meeting on that day, and about the same time at the Coach and Horses, Whitechapel, he is confirmed by Walker, the landlord, and by Campbell and Dean, the soldiers, who are all totally unconnected with the conspiracy, and are perfectly indifferent witnesses; and they confirm Windsor substantially, and with no very material difference, as to all such facts and circumstances as happened there under their immediate notice and observation, so that if he is believed there is an end of the question, for then he, with any one of these other indifferent witnesses, constitute two witnesses to an overt-act of treason; if Emblin and Windsor are believed, there is *a fortiori* and end of the question, and the law, which requires two witnesses, either one to one overt act and another to another overt-act of the same species of treason, or two witnesses to the same overt-act, will have been most abundantly satisfied. It will be for you to say what credit you give to the testimony of these witnesses, taking at the same time into your consideration the character that has been given of the prisoner, which if it had been given by the witnesses with full means of knowledge of all that belonged to it, down to a much later period of time, so as to be considered as exhibiting the continued and actual habits of life and conduct of this gentleman, he would have stood before you most strongly supported indeed against any imputation of disloyalty that could have been cast upon him. Whether any malignant change of disposition has been fatally wrought in him since the termination of his acquaintance with the noble lord and sir Alured Clarke, we know not; we can only look to the plain evidence of external acts, to the uncontradicted history of his recent conduct which is now before us. If you believe all the witnesses to be generally unworthy of credit, or if in the particular facts sworn to by them you cannot bring yourselves to believe Windsor and Emblin, Francis and Blades, notwithstanding the confirmation they have all received from so many various sources, then this person ought to be exempted from the consequences of the charge made upon him; but if you do believe them, I am afraid in that case, that as there is no doubt upon any question of law, so neither will there be much room for doubt upon any of the questions of fact, which are now fully left to you, for your consideration.

The jury withdrew and returned in about 25 minutes with a verdict of *Guilty*, but recommended the prisoner to mercy, on account of the high testimonials of former good character and eminent services.

KING'S BENCH.—THE KING *v.* PELTIER.—*Feb.* 21.

This was a prosecution brought by the Attorney-General upon information against the Defendant for a libel on Buonaparté. For more particular information respecting this curious trial, see different parts of the Register, referred to in the Index.—The cause was opened by the Attorney General, who, after some introductory observations proceeded as follows.—For what brings me here now before you is this: I prosecute this publication as a libel, because, I say, it has a tendency to endanger the security, the tranquillity, and the peace of the country; that is the charge that brings me here; that is the charge that brings the defendant here. And, gentlemen, if I am right in stating, that the charge will be supported by this information; and if you should go along with me in thinking the defendant guilty of that charge, when the question shall come for consideration, what the punishment shall be on the person who is found guilty; if it should occur to my learned friend, from the instructions of his client, that the legal proceedings of the first Court of Justice in this country shall be made the vehicle of slander, shall be made the means of aggravating that offence, and giving greater weight and extension to the libel I prosecute, I think I should ill discharge my duty to the Public, that I should ill discharge my duty to the honour and the character of the English administration of law, if I did not press it to the consideration of the Court in inflicting that punishment; if I did not take the liberty to remind them, that they should take care, that where the proceedings of a court of justice were made the vehicle of that mischief they were intended to repress, the punishment inflicted should mark, not only to France, but to all the nations of Europe, and to the world, that a British Court of Justice will not, with impunity, allow its proceedings to become the means of such extended defamation.—* * *—This is not the prosecution of a publication, which may be laying before the world an historical narration of events which may have taken place in a neighbouring country, where those events may, or may not, be accompanied with circumstances, with just reflections on the conduct and characters of the persons who may have been the actors in the different scenes. This is not a prosecution meaning to bring to punishment the author of a narration of historical truth, which should not be complained of when written in the spirit of history, though it may give pain to others, if it be written with an

said "that nothing could be done that day, be- "cause *he expected money and news from France.*"

honest zeal, though even with some degree of freedom approaching to licentiousness. Nor is it a prosecution for a piece of flippancy, of insolence or impudence on those who are the objects of it, and on which account it might be treated with contempt. But it is the case of a prosecution bringing into notice a publication, which, as it seems to me, must be considered originally, and from the first, as a libel and defamation, that has defamation for its sole object, or at least for its best object, and its general object. The farther object of it, I think I shall satisfy you, is to excite the subjects of that magistrate whom our country recognizes, and with whom our country is at peace, to excite the subjects of that country to rebel against their chief magistrate, *de facto*, and farther to excite them to his assassination and to his murder.—That being the general object and character, which I ascribe to the publication I prosecute, I have to state to you, more particularly, that it is charged by this prosecution as having been published with the intention of traducing and defaming Napoleon Buonaparté; who is stated, as he is known to be, the First Consul and Chief Magistrate of France; between whom and this country, at the time of the publication, there was, and continues to be, peace and amity. That it was published with the intention of bringing him into hatred and contempt, not only with the subjects of this country, but with the subjects of his own; and for the purpose of exciting the subjects of that country to rebel against him, and to remove him from the situation of power, which he held; and farther, that it was published with the intention of exciting to his assassination and his death, and likewise with the intention of disturbing and interrupting that peace which exists between that country and this. With this intention it is charged to have been published; with this tendency it is characterized as having been published.—Having stated the outlines and nature of this case as to the state of the question on the law, I do not think I am at all called on to state any general principle of law which may apply, or at least strictly to define to what extent the government of a country, at peace with our own, may lawfully be made the subject of animadversion. I am not now called upon to lay down such a definition, but undoubtedly there are some broad distinctions on the subject. I have no difficulty in laying down this: for instance, I think no man can suppose that I mean to contend, that any publication professing to consider the conduct of a foreign government at peace with us, would be a libel; which, if applied to the government of our own country, would not be deemed to be such. Though the province of the historian be the detail of facts, yet if he introduced the fair discussion of the politician, or of the philosopher, on the facts and events he detailed, even this, unquestionably, published faitly and *bonâ fide*, and not as a cover for slander and defamation: such a publication I should certainly never think of deeming the subject of prosecution. But, if the case be this; if defamation be the sole object of this publication, and if the publication has the necessary, the direct tendency of exciting that degree of jealousy and hatred in the country to which the publication is directed against the country from which it issues, and to alienate the dispositions of that country from our own, and consequently to interrupt the intercourse of peace which subsisted between them, I think it is not likely any lawyer will stand up and say such a publication is not a libel, and that the author of it ought not to be punished; but even that is not this offence. The offence here charged to have been committed by the defendant is this, that his publication is a direct incitement and exhortation to the people of the French Republic to rise up in arms against their First Consul and Chief Magistrate, to arrest the power from the hands in which, *de facto*, it is placed, and to take away the life of a man who presides over them. Is it possible we can have any difficulty in supporting this proposition, that such a publication is an offence against the law of this country?—* * * *—I stated to you, at first, what I conceived to be the object and tendency of this work; and now let me put it to you, whether you do not think, with me, this is a crime in this country? Whether the exhortation to assassination, in time of peace, is not a very high offence! If it were in time of war, I should have no difficulty in stating, that there is something so base, so disgraceful; there is something so contrary to every thing, that belongs to the character of an Englishman; there is something so immoral in the idea of assassination, that the exhortation to assassinate this, or any other Chief Magistrate, would be a crime against the honourable feelings of the English law. What effect, then, must it have, when, instead of being at war, we are at peace with that Sovereign. Do not let any idle declamation on that denomination impose upon your minds. Whether the present libel was directed against a monarch sitting on his throne, from long hereditary descent, or whether he is a person raised to this power by the revolution, from the choice of that country, or from any other cause, it makes no difference. He *is de facto* the Chief Magistrate, and is to be respected by those, who are the subjects of that country, who owe a temporary allegiance to him. He is to be respected as if his ancestors had enjoyed the same power for a number of generations.—* * * *.

The pleading being finished, and the evidence closed, Lord Chief Justice Ellenborough addressed the Jury in the following words:—The matter in issue includes three things: 1st, the fact of publication: 2dly, the truth of the allegations in the record; and 3dly, the nature, quality, and tendency of the papers themselves.—This information is filed against the defendant for several passages, that have been selected from the publication called the *Ambigu*, from the first and third numbers of that publication. Several of these papers have been read, first in the French language, and then in an English translation, the faithfulness of which does not appear to be materially impeached.—As to the first thing, the fact of publication that seems to be proved by the evidence of Mr. Debotte, who published, and acted under the orders of Mr. Peltier, the defendant. It is unnecessary to detail the particulars, because it does not seem to be matter of contest, that he was the publisher under the orders of Mr. Peltier, and therefore he is liable, if the e are libellous publications. That Napoleon Buonaparté was the Chief Magistrate and First Consul of France is admitted. And that the relations of peace and friendship subsist between us and the French Republic, and did so at the time of these publications, is also admitted. And, indeed, they were

capable of easy proof, if they had not. Their notoriety seems to render the actual proof very unnecessary.—The next, and only remaining material point for your consideration, is, the nature and quality of the publications themselves. It has been attempted by the learned counsel for the defendant to represent them as ironical and satirical papers, written as against some particular factions in France, and not immediately directed against the character and person of the First Magistrate of that country. It will be for you to say, on the fullest consideration of all the circumstances of this case, whether you are not satisfied these papers do contain matter reviling and highly reflecting on that considerable magistrate, and hold out a direct incitement and encouragement to assassinate his person.——Gentlemen, it is my duty to state to you, that every publication that has a tendency to promote public mischief, whether by causing irritation in the minds of the subjects of this realm, that may induce them to commit a breach of the public peace, or whether it may be more public and specific, and extending to the morals, the religion, or magistracy of the country—these are all cases of libel. But more particularly, as in the present case, by defaming the persons and characters of magistrates and others in high and eminent situations of power and dignity in other countries, inconsistent with amity and friendship, expressed in such terms and such a manner as to interrupt the amity and friendship between the two countries—every such publication is what the law calls a libel. Cases of this sort have occurred within all our memories. My Lord George Gordon published a libel on the person and character of the Queen of France; and another person published a libel on the late Emperor Paul, in both of which cases there were prosecutions. In the first case there was a conviction and punishment followed. The other case went the length of a conviction, and in respect to the legal effect of both these prosecutions, I am not aware it was ever judicially questioned. And therefore I lay it down as law, that any publication which tends to degrade, revile, and defame persons in considerable situations of power and dignity in foreign countries may be taken to be and treated as a libel, and particularly where it had a tendency to interrupt the amity and peace between the two countries. If any publication contains a plain and manifest incitement and persuasion addressed to others to assassinate and destroy the persons of such magistrates, as the tendency of such a publication is to interrupt the harmony subsisting between two countries, the libel assumes a still more criminal complexion.——Now let us look at the Ode which is attributed to Chenier. This is immediately prefaced by a declaration that he would collect all the materials he could employ on the edifice he was to raise to the glory of Buonaparté, such as should be suitable to his glory; so that his object seems to have been to libel the character of Buonaparté. It is not to be supposed these verses were written by Chenier. Such things often appear under feigned names; and it will be for you to say, whether these words do not import a direct incitement to the assassination of that Magistrate?—"Oh! eternal disgrace of France! Cæsar "on the banks of the Rubicon, has against him, in "his quarrel, the Senate, Pompey, and Cato; and "in the plains of Pharsalia, if fortune is unequal "—if you must yield to the destinies, Rome, in this "sad reverse, at least there remains to avenge "you, a poinard among the last Romans."—— Now, does not that express a lamentation, a wish, on the part of the person, that writes this, that they (the people of France) would use the poinard against the supposed oppressor and usurper of their government, which had been used with effect against Cæsar, the usurper of the Roman Government?——And, in another part of this publication, he says, "As for me, far from en-"vying his lot, let him name, I consent to it, his "worthy successor; carried on the shield let him "be elected Emperor. Finally (and Romulus re-"cals the thing to mind), I wish, that on the "morrow he may have his apotheosis. Amen." ——This is a direct wish, on the part of the publisher of this work, that if he should be elected Emperor of that country of which he then held the government, his death might be instantaneous, or that his destruction might follow on the next day. Every body knows the supposed story of Romulus. He disappeared; and his death was supposed to be the effect of assassination. Now this seems to be incapable of equivocation, if the words were equivocal, and could bear two constructions, I should advise you to adopt the mildest. But if these words can bear this sense and this only, we cannot trifle with our duty. We cannot invent or feign a signification or import, which the fair sense of the words does not suggest.——Gentlemen, upon the whole matter, on the best consideration I have been able to give these different publications, it appears to me, the direct an indirect aim and tendency of them (notwithstanding the very ingenious gloss, and colour, by eloquence almost unparalleled, by which they were defended), was to degrade and vilify, to render odious and contemptible, the person of the First Consul, in the estimation of the people of this country and of France, especially in the estimation of the people of France, and likewise to excite to his assassination and destruction. That appearing to be the immediate and direct tendency of these publications, I cannot in the correct discharge of my duty do otherwise than state, that these publications having such a tendency, in respect of a foreign magistrate, and being published within this country, and the consequence of such publications having a direct tendency to interrupt and destroy the peace and amity between the two countries, are, in point of law, libels. And in the correct discharge of your duty, I am sure no memory of past, or expectation of future injury, will warp you from the strength and even course of justice. But your verdict will mark with reprobation all projects of assassination and murder. Consider likewise, how dangerous projects of this sort may be, if not discountenanced, and discouraged in this country: they may be retaliated on the head of all those whose safety is most dear to us.——Gentlemen, I trust your verdict will strengthen the relations by which the interests of this country are connected with those of France, and that it will illustrate and justify in every quarter of the world the conviction, that has been long and universally entertained, of the unsullied purity of British judicature, and of the impartiality by which their decisions are uniformly governed.——*The Jury, without retiring from their box, immediately returned a verdict of Guilty.*

PARLIAMENTARY DEBATES,

FROM THURSDAY THE 3RD OF FEBRUARY *(the Day the Houses met after the Christmas Recess)*, TO THURSDAY THE 30TH OF JUNE, 1803, *inclusive.*

N. B. The Debates of that part of the session previous to the Christmas recess, will be found in the Register, Vol. II. from p. 1625 *to p.* 1800.—*Observe also, that the Debates only are inserted here, and that Minutes of the minor proceedings will be found inserted in the several preceding sheets of this volume.—See the Table of Contents for the several subjects and the speakers' names; also for the pages where to find the Minutes.—At the beginning of each debate, the Minutes of the proceedings of the day are referred to.*

HOUSE OF COMMONS.

Monday, Feb. 7. *(See Minutes, p.* 184.)

[BANK RESTRICTION BILL.] The CHANCELLOR of the EXCHEQUER, pursuant to notice, rose to move for leave to bring in a bill to continue, for a time to be limited, the act which prohibits the issue of specie from the Bank. He stated, that it was with the utmost reluctance he submitted this proposition to the House, but the reasons which suggested it were too strong, and the necessity too urgent, to be resisted. That necessity, however, he hoped would soon disappear; and, notwithstanding the opinions which had gone abroad, and the new theories which, within the last year, had taken their rise from respectable quarters, and had obtained the sanction of some very intelligent persons, he (Mr. A.) anxiously and impatiently looked forward to the day, which he trusted was not far removed, when the Bank would be at liberty to resume its payments in specie. As to the grounds upon which the expediency of the restriction originally rested, he did not now think it necessary to discuss them, though he was fully persuaded of the wisdom which suggested, and the forcible considerations which led to that measure—still less did he think it necessary to enter into any inquiry respecting the sufficiency of the Bank to answer all the demands upon it. When such an inquiry was before instituted, the case was novel and extraordinary, and therefore to satisfy the public mind in the then state of Europe, and the prevalence of apprehension, was proper and necessary. But what was the result of that inquiry? Why, it removed even the possibility of suspicion as to the circumstances of the Bank; and what intelligent person could have ever entertained that suspicion? He was confident that at this instant there did not exist in any quarter a particle of doubt as to the solidity of the Bank; of course that could not now become a fit subject for inquiry, though it might be very strongly insisted on as an advisable preliminary to the motion he meant to propose. He observed, that many persons who originally condemned the Order of Council which produced the stoppage of the Bank, and who disapproved of the Parliamentary proceedings which followed, were yet at a subsequent period, from a sense of duty, adverse to the idea of suffering the Bank suddenly to resume its operation. Such was the case in the last session, when some of those Gent. concurred in the propriety of continuing the restriction, because the course of exchange was against this country. A similar reason, he remarked, prompted him on this occasion to move for a still farther continuance of this restriction. At present, the state of our exchange with Hamburgh was at par—with Amsterdam it was unfavourable. If then our disadvantageous situation, with regard to exchange, was last session considered a sufficient argument for this measure, he would appeal to the candour and good sense of the House, under the present circumstances of the country, when very little cash could be expected from Hamburgh, and none at all from Amsterdam; when, in fact, no influx of bullion from the continent could be immediately looked for, whether it would be expedient to allow the restriction to cease? He would also ask, as it was found necessary to permit the issue of country bank notes, whether the sudden issue of cash from the Bank would not produce a run upon the country banks, and a consequent run upon the Bank of England, which might be productive of the most serious consequences. From these considerations, as there was no return of bullion from the continent, he would rather submit to the inconvenience of continuing the restriction even longer than might be actually necessary, than risk the consequences of setting aside that restriction too soon. From motives of precaution, therefore, he brought forward this measure. He did not mean to underrate the inconveniencies which resulted from the stoppage of the Bank, but he would maintain that it were better to endure those inconveniencies, than to expose the country to the effects which were likely to arise from prematurely removing the restriction. He hoped, however, the period would soon arrive when the progressive advancement of our commerce would produce such a steady inclination of the exchange in our favour, as would enable us with perfect safety to permit the Bank to resume its payments in specie. The causes of the present state of exchange, a very little reflection would explain to the House, when it was recollected that the scarcity of the last three years had made it necessary for us to purchase a vast quantity of

grain on the continent, and that for this purpose not less than twenty millions of specie had been sent out of the country: when then such a drain as this, arising from a cause which was not likely soon to occur again, was combined with the drain of cash for the payment of our army and navy, it would be obvious that we should wait the operations of a flourishing commerce, to bring back some proportion of this vast amount of bullion, before we attempted to permit the Bank to issue specie. Upon these grounds he felt himself justified in proposing, "That leave be given to bring "in a bill, to continue an act of last session, for 'continuing the restriction on the payment in "specie by the Bank of England." He repeated his intention of opposing any motion for a committee to examine the affairs of the Bank, &c. because he saw no necessity for such a proceeding. He had already stated the distinct ground upon which he brought forward his motion, namely, the state of exchange, which was matter of public notoriety, and therefore required no committee to ascertain it, and the circumstances of the country banks; both of which formed the principal arguments for the adoption of a similar motion in the last session.

Mr. TIERNEY said it was naturally to be expected that he should be first to rise after the Rt. Hon. Gent. as such particular allusion had been made to his conduct and observations on a motion similar to that before the House, which the Rt. Hon. Gent. had brought forward in the course of the last session; and it seemed to be insinuated, that, in point of consistency, he (Mr. Tierney) was bound to support the measure now under discussion. He admitted that though originally hostile to the stoppage of the Bank, he thought that the peculiar circumstances of the country last session, rendered it inexpedient to take off the restriction; but those circumstances no longer existed, and he therefore objected to the motion of the Rt. Hon. Gent. without some previous inquiry respecting the Bank, and particularly upon the grounds stated. The matter was of too much importance to rest on such a basis; for, however familiar Gent. might be with the stoppage of the Bank, however loosely the subject might be talked of in conversation, or however little it might be thought of by those who were unconnected with commercial transactions, it was in the outset considered a prodigy, which in its consequences operated a change in the whole order of money transactions. He did not now intend to give any opinion whether the restriction ought to continue, or to be abolished altogether; but he wished to impress upon the House the propriety of careful deliberation on the necessity of previous inquiry. If there was a subject under the consideration of Parliament, which called for the most satisfactory explanation, certainly that now before the House was of

hat nature. The Rt. Hon. Gent. indeed had mentioned the state of the exchange; but was the House to have no other information but from his speech? How few were the Gent. of that House, whose habits or connexions gave them an opportunity of knowing any thing about the exchanges? The Rt. Hon. Gent.'s statement of the exchange with Hamburgh happened to be known to him (Mr. Tierney), but perhaps the same fact might not be known to many others of the House. The only document was the Rt. Hon. Gent.'s speech: was that, he would ask, sufficient authority to legislate upon? Could it be entered on the Journals, and go down to posterity to account for and justify the assent of the House to this extraordinary measure? Of the necessity of a committee of inquiry to satisfy the public mind, and to explain and vindicate the conduct of the House to the country and to posterity, he was firmly persuaded. He did not, however, propose to conclude with any motion to that effect, without first perceiving the temper of the House favourable to his views; for, though it appeared to him highly desirable, yet he would not wish to provoke the trouble of debate and division, if the sentiments of the House did not seem to coincide with his own. If they did, his proposal would be to pass the bill for two months, and to appoint a Committee in the interim, to consider how far it would be proper to continue the restriction farther, or to discontinue it altogether. Such was his idea; but the Rt. Hon. Gent. seemed to think that the Report of a committee six years ago was quite sufficient, though the House had no account whatever of the proceedings of the Bank ever since. It seemed to be considered of no consequence how their concerns had been since conducted: no one appeared to care whether the Bank had sufficient provision to answer its demands, or even whether the restriction had been actually profitable or injurious to its interests—whether it had diminished or increased the security of public credit. All these things ought to be known, but all was mystery. No other ground was laid for the motion, but that the exchange with Hamburgh was at par; and upon that naked fact it was proposed to do away that which scarcely any circumstance could warrant—namely, the right of the public creditor to convert Bank Notes into cash. The Rt. Hon. Gent. had confessed that he submitted this motion with reluctance, and he (Mr. Tierney) sincerely believed it, for he really thought that the Rt. Hon. Gent. had, a very short time back, no intention of proposing the continuance of this restriction: this he did not mean to assert from an affectation of any particular knowledge of the Rt. Hon. Gent.'s sentiments; but the conviction he felt in common with the House, of the Rt. Hon. Gent.'s intimate acquaintance with, and respect for, the order of the House, induced

him to imagine, from the notice of the continuance of this bill being only given twenty-one days before its expiration, that the motion did not originate in sound discretion and deliberative judgment of the Rt. Hon. Gent. himself, but was pressed upon him by the recommendation of others. He trusted, however, the House would not adopt this monstrous bill at a time when there was even no plausible pretext for it, when no money was likely to go out of the country, when no alarm prevailed in either domestic or foreign politics, when no fear of any sudden press on the Bank could be entertained. All that was mentioned in the shape of a reason, was, that the exchange was not at par: then, of course, no money would go out of the country. Were not these considerations sufficiently strong to urge the House to agree to an inquiry? Was it not material to shew the country what the Bank was doing? That it was preparing to open, and pay in specie; that it was ready to do so when Parliament should permit. The Bank Directors ought to shew that there was no danger in their responsibility. He was not unwilling to compliment the Bank Directors, but he would wish them to compliment the public, even as they did in 1797, when the original restriction took place, and when they published a resolution that they were ready, if political considerations permitted, to pay cash for their notes. This resolution did not precede the bill which sanctioned the Order of Council, and surely it would be but decent to give the country something like the same evidence upon this occasion. According to the Report of the committee of 1797, the proportion of cash and bullion in the Bank amounted to one million, when the Order of Council was issued; and some short time afterwards this sum was increased to six millions. Was it not now a fit subject for inquiry? What had become of this six millions if it was forthcoming to meet any exigency? and if it was, why should the Bank hesitate to resume their operation? They could not be afraid of a run upon them, for who could now think of any material advantage from hoarding gold? But the Rt. Hon. Gent. objects to their paying in cash, because the exchange is not at par. If the Rt. Hon. Gent. resolves to restrain the Bank while the exchange is at par, there are men of the highest intelligence and character, who are of opinion that the exchange will be kept up. But why should the Rt. Hon. Gent. indulge these fears? His late financial statement ought to sustain his confidence. He there describes the surplus revenue of the present year as one million, and that of the next year as two millions. Was not that sufficient to protect the Bank and public credit in any suitable emergency? If the rate of exchange, as it now stood, was really to be made an argument for the stoppage of the Bank, it would leave a very dangerous impression in the country; and, recollecting the circumstances, the people, upon the probable recurrence of such an exchange at a future day, would be apt to make such a run on the Bank, as might be productive of very serious consequences indeed. The reason which the Rt. Hon. Gent. advanced, could not surely be the suggestion of the Bank Directors: if so, it was very unworthy of them. They should not plead any little expense or trouble which might occur in procuring bullion, if they wanted it, as a reason against accommodating the public by paying their own notes, particularly after the vast sums they had put in their pockets. The public had a right to say to them, "You have been for the last six years reaping a productive harvest from our inconvenience; we only ask of you now to convert into cash the notes for which we have given you credit so long," and the Bank ought to be provided to answer this reasonable request. They could have no apology for declining it, unless incapacity; and he did not suppose that to be the case.—If the bill should pass, he, in his conscience, believed it to be entirely a matter of convenience. No Bank Director, he was confident, would go before a committee of that House (for he would not take a speech), and assert that the present state of the exchange would be a good reason for half an hour's farther delay in the issue of specie from the Bank. No Director could dare to say, at a time when trade was flourishing, profound peace prevailing, and no alarm whatever appearing, that the exchange being at par would be a sufficient ground for the motion before the House. He exhorted the Chancellor of the Exchequer to think on the necessity of allaying the opinions which were afloat in the country. Several factions agitated the public mind, and each had their literary advocates. One of these advocates, in defence of the system of his party, had lately written a pamphlet, intitled, "The Iniquity of Banking," and another immediately replied in a pamphlet, intitled, "Money an useless Incumbrance." Perhaps, added Mr. T. it would be very prudent in the House to step in between these disputants, and by the Report of a committee settle their opinions, and set the public mind at ease. Something ought certainly to be done to diminish, if not to put an end to the disgrace of a measure which injures our credit in the eyes of foreigners, and distracts the course of pecuniary dealings in our own country. The Hon. Member observed, that it had been much the fashion to regret the absence of a certain Rt. Hon. Gent. (Mr. Pitt), whom he always heard when he did attend the House, with pleasure and attention, however he might differ with him in opinion. Now, upon this occasion he could not help regretting that Rt. Hon. Gent.'s non-attendance; for he was confident, were he in the House, he (Mr. T.) would have in him a most powerful ally. *(The Chancellor of the Exchequer shook his head.)* Mr. Tierney remarked, the Rt. Hon. Gent.

shakes his head upon this assertion; and, no doubt, that is all that will be got out of him. Strange, added Mr. T. when I mention the probable opinion of the Rt. Hon. Gent. I have alluded to, A shakes his head, and B gives a significant nod; but when I say that if that Rt. Hon. Gent. were here, he would be *consistent*, I hope I shall offend none of his friends; and I am confident that his consistency would urge him to support my opposition to this motion, if he should come down, and I most conscientiously think he will; for when that Rt. Hon. Gent. proposed this measure originally, he gave the House the most detailed reports to shew the grounds upon which his ideas of the necessity were founded. The Hon. Member concluded with observing, that he did not wish the Bank doors to be at once thrown open, without due deliberation; his desire was, that a committee should be appointed, composed of such intelligent persons as formed the original committee on this subject, many of whom were at present in the House, and who would be able to give such a mass of useful information to the country as would satisfy the public of the justice and policy of any measure founded upon it. If such a proceeding were not adopted, he was convinced the people would very naturally think the measure proposed by the Rt. Hon. Gent. rather an act of convenience than of necessity. The Bank would be condemned if they should lose the opportunity of this committee to vindicate their conduct, and the House would be set down rather as the blind followers, or suspected accomplices, of the Bank, than as the faithful guardians of the public interest.

Mr. Fox began by observing, that if the Rt. Hon. Gent. felt such reluctance as that which he expressed to bring forward the present proposition, and such anxiety to see the period arrive when a measure of that nature would be deemed no longer necessary, much more urgent reasons than those he had heard should, in his opinion, be adduced in its support. If, however, necessity, or a strong propriety, called for its adoption, he was not disposed to urge any objection to it: at the same time he should feel more satisfaction if there were laid before him sufficient grounds to justify his assent; and in that view he concurred with the Hon. Gent. (Mr. Tierney) who spoke last, in thinking that some inquiry should be instituted into the causes that gave rise to the continuance of the restriction, that it might appear whether they were of a nature to render the restriction necessary or not. The principal grounds on which the continuance of the suspension now seemed to be rested, were the state of the exchange between this and other countries, and the small quantity of bullion that of late had been imported. Was it then to be understood that whenever the state of the exchange was so unfavourable as to leave no room to expect the importation of bullion, a restriction should be put on the cash payments of the Bank? Such a mode of reasoning would, on the face of it, seem to go to establish it as a general axiom, that in all such cases the cash payments of the Bank should be suspended. To these reasons were added the great exportation of specie for corn, and on account of other circumstances connected with the war. If these additional reasons had any force, then the propriety of further continuing the restriction should not be made to depend so entirely on the state of the exchange. Perhaps even it might happen that the unfavourable turn of the exchange against this country, might be owing to the very restriction on the Bank: and as on this head doubts were entertained, that with him was a strong reason for recommending an inquiry, because a proposition for such an inquiry might, when under discussion, bring forth many opinions on the subject (it was opinions rather than facts which he was anxious the inquiry should produce), more especially of commercial men, and of the Directors of the Bank, whose pursuits and occupations enabled them to throw most light on such subjects. For his part, he could not pretend to much information on them, particularly on the causes that might influence the fluctuations of the rate of exchange between different countries. It was not into the conduct of the Directors of the Bank that the House should be anxious to inquire. They professed themselves to be ready to renew their payments in specie, if Govt. had no political reasons for preventing them from doing so. They were ready even now to resume their cash payments; and if they, as bankers, saw no danger or inconvenience in resuming them, was it not incumbent upon the House to inquire into the grounds of the political objection that was opposed to that resumption? For his part, he could not conceive a possible case where the restriction could be necessary or useful, when the Directors of the Bank declared themselves to be able and willing to pay in specie. If such a case existed, it should be made out, and for that reason he acquiesced with the Hon. Gent. (Mr. Tierney) in the propriety of some inquiry being instituted. His mind was far from harbouring any suspicions prejudicial to the Directors of the Bank; on the contrary, if any danger attended the opening of the Bank (and it was admitted that dangers did attend it), he was inclined to believe that to the caution, the prudence, and the discretion of the Bank Directors, it was owing that all those dangerous consequences had in a great measure been averted. When, therefore, the Bank Directors expressed no reluctance to recommence their payments in specie, must not the worst inferences be drawn, even from a suspicion that circumstances are such as to make it imprudent to suffer them to resume their payments? The House must surely recollect

how closely the credit of the Bank is connected with the credit of the country, and how much it therefore must depend upon the management of the Bank. The credit of the country was not likely before to be much affected by that management; for, while the Bank continued to pay in specie, if the Directors chanced to act improperly, the public were able to discover the impropriety of their conduct in the consequences to which it must have given rise; but now, as there was not the same check of honour on them as that by which other bankers were bound, the public had no longer the same security, and the whole of the credit of the country was made to depend upon the administration of men whose conduct was under the control of Govt. and who owe no responsibility to the country. When the public credit was so endangered, it was not surprising that an impatience should be expressed by the Rt. Hon. Gent. to get rid of the restriction: at all events, he must hope that a short bill only would now be proposed, and that time would be allowed to examine how far it should be prolonged. It might also be proper to inquire how far the state of exchange should be admitted as a criterion, whether the Bank should pay in specie or not. Allowing also that there might be some danger in taking off the restriction altogether, still might not some arrangement be adopted for paying a small part of the dividends and notes in cash? By adopting a gradual system of that kind, all danger from a sudden run might be avoided: but it is said, if the Bank renews its cash payments, the specie will be sent out of the country—that is very probable; but as long as there is a strong temptation to send guineas abroad, the most rigorous laws, even when most vigilantly enforced, will prove inadequate to prevent it. Neither can it be expected that the Bank Directors will serve the public at their own loss. They will not buy bullion, that the public may have money; they will not lose in purchasing it, that others may gain by sending it out of the country. But with regard to the fluctuations in the state of the exchange between this country and others, there was a circumstance which now occurred to his mind, if he rightly recollected it, which tended to shew that the state of the exchange does not always depend on the circumstances which are now supposed almost solely to affect it. In the year 1773 or 1772, when there was a great quantity of bad money in the country, the course of exchange was then also much against us; but he was informed, that when in the room of this adulterated money good gold was substituted, the consequence was, that the exchange turned almost immediately in our favour. As long as our currency continued bad, the exchange was against us; so is it now, because paper is not much better than bad gold; or, it is attended with the same inconveniencies. May it not therefore be expected, that as, in the former case, when our currency was meliorated, the course of exchange turned in our favour, so also, if the Bank now resumed its cash-payments, the same favourable circumstances might attend the change? This at least was a matter that well deserved to be inquired into: there were many other points to which an inquiry might be usefully directed, and he should not be sorry to see a motion made for instituting one.

Mr. BANKS felt rather undecided how he should act on the present occasion. If it was intended that the bill should go beyond a very short period, both the dignity of the House and the security of the public credit might require that some investigation should be made into the unnatural state in which imperious circumstances had for some time past placed the Bank. Since peace was now restored, and those circumstances no longer continued to operate, the House would no doubt be slow in acceding to such a measure as that now proposed, without very satisfactory grounds to justify them in adopting it. He was ignorant whether it was the intention of the Hon. Gent. (Mr. Tierney) to move for an inquiry, or not; but if that Hon. Gent. did not make the motion, he should feel it his duty, if the bill to be brought forward was not for a very short duration, to endeavour to dissuade the House from assenting to the measure, without such grounds as might fully satisfy them and their constituents of its necessity.

Lord HAWKESBURY would trouble the House with but a very few words. The only question now before them was, that leave be given to bring in a bill. When it came to the stage for filling up the blanks, then an opportunity would occur to discuss the time to which its operation should be limited, and to advance the reasons why a committee of inquiry should be appointed. But his principal object in rising was to endeavour to set right two Hon. Gent. (Mr. Fox and Mr. Tierney), who seemed to view the arguments of his Rt. Hon. Friend (Mr. Addington) in a different light from that he intended to place them in. These Gent. seemed to imagine that his Rt. Hon. Friend ascribed the necessity of the measure solely to the state of exchange between this and other countries. He did not understand him so. His Rt. Hon. Friend, in stating his opinion of the measure, looked back to the necessity which justified it at the time it was first proposed, and to the salutary consequences which its adoption had produced; and in that view he could not but applaud it as a wise precaution; but looking at it now generally and abstractedly, he could not but regard it as an evil, and he therefore felt anxious for the arrival of the period when the cash-payments might be safely resumed. He entertained nearly the same opinion; but what

added to his embarrassment was the difficulty of taking off the restriction after it was once imposed. His Rt. Hon. Friend had observed, that the restriction had been imposed and continued for many years, without any inconvenience having resulted from it; and this he was ready to ascribe, as the Hon. Gent. opposite to him (Mr. Fox) had done, to the excellence of the institution itself, and to the cautious and prudent conduct of the Gent. who administered its affairs. If, therefore, no inconvenience has as yet accrued from the restriction, would it not be wise to pause for a while, and look for the period when the removing of it may be attended with as little danger as possible? The Noble Lord then proceeded to enumerate the causes why the course of exchange was against this country, and why the quantity of its bullion was diminished. A great quantity of it was known to have been sent abroad, not only for the purchase of corn, but for the maintenance and use of the army and navy. The exportation of our bullion was then a matter of necessity; for the exchanges were then with regard to us reduced extremely low: but they are now improved, and may soon be expected to be at par. If, therefore, any inconvenience still remains that may be likely to arise from a premature change of system, is it not proper to look forward to a period when no obstacle may impede it? It was not upon any prospect of an unfavourable change that the present measure was grounded, but rather the delicacy of reverting to the old system without taking the advantage of a favourable moment. That moment was perhaps at no great distance, and prudence admonished that it should be waited for with patience. —As to the appointment of a committee of inquiry, he was not without his objections to it; and chiefly because its only effect would be to create alarms that might be extremely prejudicial. The appointment of such a committee might be necessary if any doubts were entertained of the sufficiency of the Bank; but on that point the most perfect satisfaction had already been afforded; and by consulting the papers now on the table, shewing the number of notes that have been issued at different periods, it may be easily seen whether the Directors of the Bank have abused the power intrusted to them. Where, therefore, is the necessity of a committee, the appointment of which might produce much mischief, and no real good? It might perhaps be proper, at a future period, to revise the whole system of our paper credit, but then that should be done merely with relation to that system itself, and without any reference whatever to the institution and conduct of the Bank. An Hon. Gent. (Mr. Fox) has observed, that in 1773 the course of exchange was against this country when our gold coin was of an inferior value, but that immediately after the recoinage, it turned round in our favour—but the fact is, that at that period the exchange was against us only in appearance, in substance it was in our favour. No inference can, therefore, be drawn from that circumstance, that restriction on the Bank is the cause of the unfavourable turn of the exchange, or that the exchange would turn in our favour, if that restriction were taken off. Although the restriction has continued, the course of exchange is altered considerably in our favour, especially for the last six months: for the fact is, the exchange was not affected by that restriction, but by the exportation of bullion, or rather by the causes that prevented the importation of it. Those causes will soon cease to operate, and we already see the course of exchange rapidly coming round in our favour, and we have every reason to expect that it will soon be at par, and place us in the same advantageous situation which we had before enjoyed. These were his reasons for discountenancing an inquiry, especially as a motion for it would be more in order when the bill was before the House.

Sir FRANCIS BARING observed, that circumstances wholly unnoticed or unattended to may have occasioned the unfavourable turn of the course of exchange against this country. Formerly, its fluctuations might be accurately calculated, and it might be easily ascertained how it stood between this and any other country; but the commercial as well as the political frame of Europe, was so dislocated and disjointed, that nothing now could be calculated to a certainty. The disadvantages we now laboured under do not arise from common causes, but from extraordinary and unexpected efforts to cramp and to counteract our commercial enterprises. Our credit, however, was never safer or sounder than at the present moment; and if the measure now proposed is to be adopted, it should be looked upon as a measure of propriety, not of necessity.

The CHANCELLOR of the EXCHEQUER confessed that at an early period of the session (as insinuated by an Hon. Gent. Mr. Tierney), he did not entertain the idea of proposing a further continuance of the restriction on the Bank; he did venture to hope that a favourable alteration in the course of the exchange would have relieved him from the performance of the painful duty which he this day came forward to discharge. If appearances continued to be the same which they were at the close of last year, and the beginning of the present, and the favourable change promised to be permanent, he should have abstained from the present motion; but while he said this, he desired to be understood by the House, not abstractedly to rest what he had advanced upon the state of the exchange, for many other circumstances concurred in the operation.—He thought it right to permit the country banks to issue small notes. Were the Bank to be opened, all these

notes would be tendered for payment, when a sufficient quantity of bullion was not in the possession of the Bank, and the run upon it would be unusually great. Indeed, from a variety of combined causes, the demand on the Bank would be extraordinary. Would, therefore, such a moment be a favourable one for discontinuing the restriction? or, from this view of the case, will it be contended that the state of the exchange is the sole cause for continuing it?—But an Hon. Gent. (Mr. Fox) has suggested the propriety of opening the cash payments of the Bank under some limited restriction. No doubt that Hon. Gent. is aware that in the former bill a power is given to the Bank to make partial payments of the dividends in specie, upon giving due notice of such payments to the House of Commons.—That Hon. Gent. is also of opinion that the Bank should not be restrained in paying small notes in specie; but does he bear in mind, that if the small notes were to be paid in specie, then the larger notes would be changed into small ones, and presented for payment in specie? by which means the whole effect of the restriction would be completely done away, for the one limited restriction must unavoidably frustrate the other. It has also been observed, that the Bank is ready and disposed to pay. Whether that was the case or not, what he proposed was not in compliance with, or in opposition to, any thing the Bank might wish for: as he had, on the present occasion, no communication whatever with the Bank, all he took their opinion upon was, the state of the course of exchange. Indeed the Bank had expressed no wish or opinion to him.—An Hon. Baronet (Sir Francis Baring) had adverted to a topic which well deserved the serious consideration of the House. The House, from what that Hon. Baronet had said, should imagine many reasons to themselves that would recommend the measure, but which it was unnecessary to explain. The storm that had agitated the commercial and political world, had not as yet subsided: but he trusted it would be soon laid in peace, and that the favourable moment was not far distant when more auspicious prospects might be opened. It was now his intention to insert a clause in the bill which he wished to bring in, leaving a power to alter it during the course of the present session, should circumstances favour its alteration or repeal, or to continue it in force for six weeks after the meeting of Parliament next session. He was averse to a committee—he saw no necessity for it; more important occasions had occurred where no committee was moved for. The charter of the Bank was renewed without any committee having been appointed to inquire into the state of its affairs. If any new grounds were adduced to shew the necessity for an inquiry, he was ready to listen to them; but he was aware of none that would not be liable to inconvenience. It might be proper, during the interval of the suspension, to take a wide, comprehensive view of the paper credit of the country; and not permit bad paper to be issued without any responsibility on the part of those who issued it—such a revision may or may not be deemed advisable. He did not pledge himself to any measure of the sort; yet if it was to take place, it should have no connexion with, or reference to the present state of the Bank; neither should it be now attempted, but at a period more favourable, and during the intervening time. He had now only to repeat that it was with reluctance and regret he proposed the present measure, but circumstances imposed it on him as a duty; and that duty, however painful, he must endeavour to discharge.

Mr. VANSITTART enumerated a variety of causes that at different times affected the course of exchange as it regarded this country, and observed, that the difficulty which the Spaniards experienced during the war in getting home the produce of their mines, was one of the principal reasons why we were in want of bullion. These obstructions now no longer prevented the conveyance of those treasures into Spain, and it was natural to expect that a great quantity of them would shortly find its way into this country.

No division took place.—Leave was given to bring in the bill.

HOUSE OF COMMONS.

Friday, February 11.—*(See Minutes, p.* 247.)

[MILITIA.]—The SECRETARY at WAR said, he rose in pursuance of a notice to make a motion for leave to bring in a bill to alter the time for training the militia, from twenty-one to twenty-eight days in each year. He thought it necessary, upon this occasion, to state the reason why he proposed this alteration. When the militia was first formed into a regular system, in the early part of the reign of Charles II. it was enacted, that the militia should be exercised four times a year in companies, and once in battalions: that is to say, two days each time they were exercised in companies, and four days when they were exercised in battalions. As the art of war was not then brought to the degree of perfection to which it has since attained, this was thought sufficient time to train the men. The militia was at that time about 60,000 men. That system was continued from that time till the latter end of the reign of his late Majesty, when a plan was introduced by a Noble Lord, of whom no one could speak without feeling the highest respect (the Marquis Townsend), which was the foundation of the present mode of managing the militia. By the act which was then passed, the militia were ordered to be assembled twice in each year, to be exercised for fourteen days each time, or once for twenty-eight days. This system was found

perfectly well calculated to answer the purpose for which it was intended, and during the American war the militia were found ready and fit for service.—After the conclusion of the American war, when the country was exhausted by so long and expensive a contest, for two or three years the militia were suffered to remain without any new arrangement, and in a kind of state of uncertainty: they were not even called out to exercise. It was then thought necessary to reconsider the subject, and to make some alteration; but as economy was then an object peculiarly to be desired, the following alteration was proposed. The whole of the militia, amounting to 31,000 men, were not to be called out every year, but only two thirds of them, the other third neither receiving pay nor clothing. In this situation the subject remained till the breaking out of the late war. When other alterations took place upon the restoration of peace, Ministers thought it right to put it upon a good footing, and to unite the laws into one system, in order that they might be more clear and distinct; the militia was then augmented to 40,000 men; and it was ordered that they should be exercised once in the course of each year. But as this bill incurred a considerable expense beyond that which was incurred before, it was thought if they were exercised for twenty-one days each year, it would be sufficient, and that a considerable saving would be effected by such a reduction of the time. It had, however, been thought since, by persons the best enabled to form a judgment upon the subject, that, in points of this kind, economy ought not solely to be looked to, and that it would be necessary to exercise the militia for twenty-eight days. He should therefore propose to bring in a bill to make an alteration to that effect, and he was happy to state, that it would not be attended with any considerable expense, in consequence of the economical arrangements which had been introduced. The expense under the present plan was about 200,000*l.* a year. The additional expense which would be incurred by the adoption of the alteration he now proposed, would not exceed 18,000*l.* a year. He concluded with moving for leave to bring in a bill to increase the period for which the militia were to be called out to exercise, from twenty-one to twenty-eight days each year.

Leave was given to bring in the bill.

[BANK RESTRICTION BILL.]—The CHANCELLOR of the EXCHEQUER moved the order of the day for going into a committee on the bill.

The ATTORNEY GENERAL rose to move it as an instruction to the committee, that they should have power to alter the bill in one particular.—Some difficulties had arisen in the courts of justice upon the clause in the former bill, respecting tenders being made in Bank notes, on account of the impossibility of making an exact tender in Bank notes, of a debt in which there was a fraction of a pound: the amendment he meant to propose was, that where a person applied to be discharged upon common bail, he should make an affidavit of his having tendered the amount of the debt.—The motion was agreed to.—The House then resolved itself into a committee, Mr. P. Alexander in the chair.

The CHANCELLOR of the EXCHEQUER said, there was in the bill a clause to enable Parliament to repeal or alter it during the present session: he now proposed to fill up the blank with regard to its duration, with these words, "six weeks after the commencement of the "next session of Parliament."

Mr. BANKES said, he rose to suggest the propriety of proposing a shorter duration for the bill, and in doing so, he begged not to be understood as entertaining an opinion that the Bank ought now to resume its cash payments, nor did he mean to say that the Rt. Hon. Gent.'s motion might not, upon investigation, be perfectly proper; but the ground of his complaint was, that there had not been sufficient data laid before the House to enable them to decide upon the question. He confessed that he was in a state of uncertainty upon that subject, and so he supposed were other Members who had not better means of information than himself.—On a subject of so serious a nature as that which they were now discussing, the House ought to pause before they placed the Bank in such an unnatural situation, without having the least evidence that could be obtained upon the subject. In calling for inquiry and information he was not asking for any thing new and singular; because, when the measure was first proposed, it was submitted to the previous consideration of a committee. It was not thought that the secrecy of the affairs of the Bank ought to prevent them being laid before the House. But that was not all: in the same year, when the measure of the restriction was continued, another inquiry took place, and another report was made to the House. These inquiries were attended with the most beneficial effects with regard to the public credit of the country. He knew that the Reports to which he had alluded had given great satisfaction to the people of this country, with regard to the situation of the Bank and its solidity; and had prevented that alarm which would otherwise have been excited under such circumstances. After the restriction had been laid on, the events of the war, the alarm of invasion and other circumstances, rendered it obvious that the restriction could not be taken off during the war; and therefore as long as that lasted, it never was contended that any fresh matter ought to be laid before the House. But it was expected, that on the restoration of peace the

payments in cash at the Bank would be resumed, and that things would go on in their usual channel. At the conclusion of peace, however, the course of exchange was unfavourable to this country, and there were some other circumstances which rendered it at that moment unadvisable to take off the restriction; and undoubtedly if the cash payments had then been resumed, the country would in a great degree have been drained of its specie. No objection was therefore made to the last bill for renewing the restriction. We were now, however, come to a time when the course of exchange was no longer unfavourable to this country, and the House had heard with pleasure the flattering statement which had been made by the Chancellor of the Exchequer of the state of our commerce and finances. Could it be said, that under such circumstances there was any danger of money going out of the country if the restriction were taken off? He did not say that Parliament ought to direct the Bank immediately to resume its payments in cash; but he contended that there ought to be an inquiry, and some information laid before the House, before they continued the restriction for so long a period. There had been but two reasons assigned for the present measure: the one was, that the course of exchange was not in favour of this country; and the other, that there was a great number of small notes in circulation, both of the Bank of England, and of country banks. With respect to the course of exchange, he had already offered some observations to the House. With regard to the quantity of small notes in circulation, he begged to ask, whether that objection would not always continue until the restriction was taken off, because, until cash was put into circulation, its place must be supplied by paper? During the time that the restriction had subsisted, the exchange had been sometimes favourable and sometimes unfavourable to this country. But he begged the committee to consider what sort of a precedent they would give to future times, if they were to say, that upon such grounds as these the cash payments of the Bank were to be suspended, without inquiry or investigation. He confessed that it was with much pleasure he heard his Rt. Hon. Friend say, that he felt great reluctance in bringing on this measure, because it was only by reverting to our old mode that a solid system could be established, to which this country could look for prosperity. In the course of the former discussion upon this subject, something, but very little, was said about political considerations; but the inquiry which he wished to institute would not tend to discover any circumstances of that kind which it would not be proper to communicate to the House. If his Rt. Hon. Friend were to state, that there were circumstances of a political nature, which, in his opinion, rendered this measure necessary, he should have perfect confidence in that declaration, and would certainly acquiesce in the measure. Another objection that had been stated was, that the appointment of a committee would create alarm; but he confessed he could not see that the appointment of a committee to inquire into the subject could possibly create any alarm. He really believed that the Bank never stood higher in point of credit than it did when the Report to which he alluded was made, because it convinced the people of the solidity and wealth of the Bank. He had no doubt but that the Gentlemen intrusted with the direction of the Bank had discharged the trust reposed in them with the greatest ability and propriety: but the country had a right to know how the fact was; they had a right to know whether exertions had been made to place the Bank in a situation to resume its payments whenever Parliament should think it right to take off the restriction. He was the more anxious upon this subject, because it was obvious, that what they were now doing would form a precedent for future times; because it was probable that hereafter, in times of trouble and danger, cash payments at the Bank would be suspended, therefore it was very important that they should not afford a precedent of taking such an important step without due deliberation and information: for if such a measure as this once became a matter of indifference, and was resorted to without the most convincing grounds, the credit of the country would be lost. There were other dangers that might result from the adoption of a measure of this kind, of which, though he had no apprehension at present, yet it was right to be guarded against in future. If the Government and the Bank were to agree together to keep up the restriction longer than was necessary, a fictitious capital might be created to an almost unlimited extent, which would undoubtedly endanger, if not destroy, the public credit. He begged to be understood, that he was stating this merely as a possible case in future times, because he had not the slightest idea that any of his Majesty's present Ministers, or the Gentlemen intrusted with the direction of the affairs of the Bank, would be parties in an affair of this kind; but he must again repeat, that what they were now doing would be quoted as a precedent in future times, and therefore they ought to proceed in the most guarded and cautious manner. With respect to the inquiry which he wished to have instituted, he confessed he should not be sorry if it were made upon a very enlarged scale, and embraced not merely the subject in question, but the state of our trade. He was aware that such an inquiry could not be instituted upon the present occasion, because there was not sufficient time for it. He therefore should move, that the bill now proposed should continue to the 1st of May, instead of the time which had been

suggested by his Rt. Hon. Friend. In the mean time an inquiry might be instituted, even upon the enlarged scale which he had suggested. There was one observation made in a former debate, to which he had forgotten to allude; and that was, that there was no inquiry instituted when the Bank charter was renewed: but he really saw no connexion between the two subjects. The renewal of the Bank charter was a mere money bargain between the Government and the Bank, and was in no degree similar to the present measure; and therefore what was done upon that occasion could not be cited as a precedent now. He concluded with moving to insert the words "the 1st of May," instead of "six weeks "after the commencement of the next session "of Parliament."

Mr. PRINSEP said, he thought it his duty, as a Member of that House, to give his support to the proposed continuance of a measure from whence the greatest advantages had arisen. At the time the restriction first took place, it was considered as a severe stroke to commerce, but increased prosperity had been derived from an event which every man, at the moment of its happening, deplored.—(The Hon. Member was proceeding to discuss the subject at some length, when he was reminded by Mr. ALEXANDER, that the only question was as to time.) He was of opinion, he said, that no time should be limited for the discontinuance of the restriction. Many advantages had accrued from the restriction, whilst no evil had arisen out of it. He thought that the restriction did not affect the course of exchange, neither did the export of bullion. The Hon. Gent (Mr. Bankes) had not, he conceived, made a sufficient distinction between coin and bullion. With respect to the consequences said to result from the restriction, what difference was there between a Bank note and a guinea as to the articles of every description which it would purchase? He conceived that a great number of advantages had arisen from the restriction, and therefore he should support it.

The CHANCELLOR of the EXCHEQUER said, he understood his Hon. Friend (Mr. Bankes) to ask, if there did not exist great doubts, whether or no there might be sufficient grounds for the proposed continuance of the restriction. He thought, that the ground he had laid down, when he proposed the continuation of the restriction, was fully sufficient; but his Hon. Friend seemed to think otherwise, and that the House ought not to continue the restriction for so long a period as had been proposed. His Hon. Friend had referred to the proceedings which took place when the restriction was first suggested. It was not necessary now to bring to the recollection of Gentlemen who were Members of the House at the period alluded to, when the circumstances took place. His Majesty's Government at that period thought it necessary to restrict the Bank from making payments in cash. This measure of course produced a strong sensation. What was the proceeding of the Rt. Hon. Gent. then at the head of the government? That Rt. Hon. Gent. considered it necessary that the country should be convinced, by an inquiry for that purpose, of the sufficiency of the Bank to fulfil all its engagements. And what was the result of that inquiry? Was there a question that the Bank was able to discharge all its engagements? If there was any doubt upon the subject, he confessed that his Hon. Friend had a right to make that doubt an argument for inquiry. The act restraining the Bank from making cash payments was renewed at the end of the session to which he had alluded. When a second inquiry took place, what was the chief end and object of that inquiry? To satisfy the anxiety of the public as to the situation of the Bank, which the result of that inquiry was completely calculated to effect. What were the proceedings in the succeeding session? The restriction was renewed, not merely for three or four months, but until six months after the ratification of peace: the House then adopted the measure for three years without any inquiry; the House being perfectly satisfied of the sufficiency of the Bank to make good its engagements, did not think any inquiry necessary. What were the proceedings of the House on this subject in the last session? He then stated to the House, that the course of exchange was unfavourable to this country, and that if the Bank was forced to resume its payments in cash, the consequence must be, that an increased quantity of specie would be sent out of the country. The same objection was then started as that now urged by his Hon. Friend. He stated at that period, that however it might be his wish to take off the restriction, yet there should be time given, that we might see how a variety of commercial circumstances might be adjusted, and until every thing got into its proper track, before the restriction was discontinued. The course of exchange had formed one of the arguments of his Hon. Friend, who had said that he (the Chancellor of the Exchequer) had stated that the exchange was at par: he did not state that, but he had observed that the exchange between this country and Hamburgh was at par, but that it was not so with Amsterdam. He admitted, therefore, that our specie would not be exported to Hamburgh; but he doubted whether it might not be exported to Amsterdam. They were not, however, to consider the exportation of specie as the only effect of discontinuing the restriction upon the Bank; another consequence would result, which deserved serious consideration; that was, the sudden demand which would be made upon the country banks for the payment of their paper, which would of course create an increased demand

for specie upon the Bank of England from those banks, in order to enable them to discharge their engagements. His Hon. Friend had proposed to limit the restriction to the 1st of May, in order that an inquiry might take place in the mean time. His (the Chancellor of the Exchequer's) reason for proposing a more distant day, was not that Parliament should put it out of its power to take advantage of any circumstances that might arise favourable to the discontinuance of the restriction, because there was a clause in the bill by which Parliament might avail themselves of any opportunity of that nature; but thinking as he did, that there was little probability of their being enabled to gratify their wishes in that respect, he looked forward to the commencement of the next session for that gratification. To fix the period suggested by his Hon. Friend, would tend to excite a delusive expectation that the Bank would resume its payments in specie at that period; but even supposing the Bank was to purchase bullion, which they must do at a great disadvantage, still it would only give them a temporary advantage, as the whole of it would almost immediately find its way to the continent. He wished to wait till he saw the course of exchange steady and stable in favour of this country; because if the restriction was taken off too soon, it was highly probable that it must be shortly afterwards renewed. His Hon. Friend had said, he wished for inquiry; on the ground on which he (the Chancellor of the Exchequer) rested the proposed restriction, he saw no reasons for inquiry, if, convinced as he was of the sufficiency of the Bank, he thought the public were not equally convinced, he would not only not rely upon his own conviction, but he would be the first to propose inquiry: the contrary, however, was the case. His Hon. Friend had said, that he (the Chancellor of the Exchequer) had stated that opinions ought not to guide the House: on the contrary, opinions must guide the House; but it was the opinion of the aggregate body of its Members, and not the opinion of a committee. It was perfectly regular and proper to appoint a committee to inquire into facts, and report their opinion thereon; but to appoint a committee merely to deliver an opinion, was an anomaly which he had never heard of before. He should be extremely sorry that a committee should be appointed to inquire into the solidity of the Bank, because that would imply doubts of that solidity. His Hon. Friend had said, that a committee so appointed should enter into a large field of inquiry with respect to the general system of paper credit. If it was necessary to inquire into the state of paper circulation, he had no objection; but it was not necessary to connect that inquiry with the present bill, because it had no connexion with it; nor ought it to be coupled with the bill now before the House. His Hon. Friend had said, that he (the Chancellor of the Exchequer) had stated that the Bank expressed no opinion upon the subject; his statement was, that the Bank expressed no wish upon the subject. His Hon. Friend had observed, that the committee, which he wished should be appointed, should ascertain whether the Bank had done their duty: he (the Chancellor of the Exchequer) was convinced that it was the opinion of every one that the Bank had discharged their duty most exemplarily. The papers upon the table clearly proved that the Bank had taken no unbecoming advantage of the privilege which was the consequence of the restriction. Every one knew that paper was received according to its nominal value, and it afforded a source of consolation amidst all other difficulties. Every one knew, that in 1793, when a sudden deficiency of specie was experienced, a well-timed issue of paper gave a new spring to commerce, and prevented every unpleasant consequence which might have resulted from the circumstances of that period. When the issue of Bank notes at the present period, as appeared by the account upon the table, was compared with that of other periods, it would be found that the whole amount at present was 16,000,000*l.* which, with the exception of 4,000,000*l.* of small notes, was only 1,000,000*l.* more than was issued at the period preceding the restriction. His Hon. Friend had stated, that every one must lament the deficiency in the circulation of gold: undoubtedly one would wish to see a due proportion of gold and paper; but surely an equal importance ought to be attached to paper, since it must be considered as one of the primary sources of the increased prosperity of our commerce. Did his Hon. Friend think that the mere circulation of gold could make any favourable operation? No such thing: there must be an influx of bullion to give rise to those favourable consequences which were expected. His Hon. Friend had said, that the renewal of the Bank charter was merely a financial measure; but there could be no doubt that it was a measure of great importance to the interests of the community. His Hon. Friend had said, that he did not wish to see too close a connexion between the Government and the Bank; nor did he (the Chancellor of the Exchequer): but what circumstances had happened to induce his Hon. Friend to make that observation? The fact was, that the outstanding advances made by the Bank to the Government at the present moment did not amount to a million more than they were preceding the restriction. Convinced as he was of the necessity of the present measure, and that it ought to be continued until circumstances were more favourable to the discontinuance of the restriction, he could not agree to the motion of his Hon. Friend. It was necessary for the House to pause before they got rid of a

system, the inconveniences of which they knew, and substituted another for it, the inconveniences of which they did not know.

Mr. H. THORNTON made some general observations upon the great importance and extent of the subject under discussion. He seemed to think, that in one point of view the motion of his Hon. Friend opposite to him (Mr. B.) might have an advantageous effect: at the same time, he was fully aware of the great inconvenience which, under the present circumstances, would attend taking off the restriction; it might in a great degree operate as a notice, and raise an universal expectation of the immediate renewal of monied payments. The shock which this might give to paper credit may easily be conceived. He felt that the present was no time for the adoption of such a measure; neither would there be a sufficient interval for the necessary preparation allowed to the Bank. Notwithstanding he felt in this manner, he at the same time was impressed with a degree of parliamentary jealousy on the occasion, and he must say that all his doubts on the subject were not yet satisfied: however, he agreed with his Rt. Hon. Friend (the Chancellor of the Exchequer) in his great point, namely, that the Bank could not with perfect safety be opened, except the exchange was favourable to this country; but he was of opinion, that the first favourable season should be taken advantage of for opening the Bank, and he was not prepared to say that it was the duty of the House to wait for ever for it: the contrary, in a great degree, might be his opinion. The measure in question had been now continued for three or four years, and its continuance for another year was proposed. In this view of the case it may be important to consider, whether a favourable opportunity in that interval might not present itself. He then adverted to the consequences of too great an issue of paper, and the connexion of that circumstance with an unfavourable state of the exchange, with respect to which it unquestionably had a disadvantageous effect; and in this view of the question, an observation made by an Hon. Gent. had evidently a great deal of common sense in it. A moderate issue of paper in the country would have the effect of improving the state of the exchange; and he alluded to the duty incumbent on the country, not to distress or do any thing to impair the public credit: and in this view they seemed to observe an exact medium, which he conceived to be a leading cause why, notwithstanding Great Britain made a freer use of paper than any other country in Europe, it was able to maintain its public credit vigorous and unimpaired.

The CHANCELLOR of the EXCHEQUER, after shortly complimenting the abilities of his Hon. Friend, and his superior intelligence on the subject in question, said, he had one observation to offer upon what had fallen from him relative to the effect of the restriction upon the exchange. His Hon. Friend must be aware, that at the periods in which the restriction originally took place, namely, in the years 1797 and 1798, the state of the exchange was highly favourable to this country; and that it was not until after the harvest of 1799, that the exchange became unfavourable; and he considered it as of material importance, that the public should be aware, that the course of exchange was by no means unfavourable during the whole time of the restriction continuing.

The question being called for, was then put, and the original motion agreed to.

HOUSE OF LORDS.

Thursday, Feb. 17.—(See Minutes, p. 285.)

[BANK RESTRICTION BILL.]—Lord PELHAM rose, and moved the order of the day for the first reading of the "Bill restraining "the cash payments of the Bank of England "till six weeks after the meeting of the next "session of Parliament."

Lord KING said, that he looked upon the measure just proposed as one of great importance, and of an extraordinary nature; and he hoped the second reading of the bill would be deferred to a distant day: if not, he should deem it his duty to make a motion to that effect, and that their Lordships be summoned to attend.

Lord AUCKLAND said, that it might be necessary that certain papers should be laid before the House previous to the discussion which might be expected to take place on the measure now proposed. The accounts he alluded to were those which had, on a former occasion, been laid before Parliament; and if he now moved for their reproduction, it was not with a view to ground upon them any objection to the bill, of the expediency of which he was perfectly satisfied in his own mind; but because it might be proper to have them regularly on the table, in case any discussion hostile to the measure should be introduced, in the course of which he might have occasion to refer to the accounts. His Lordship then concluded with moving, "That there be laid "before the House an account of the amount "of the notes of the Bank of England in cir- "culation on the 1st of June, the 1st of Au- "gust, the 1st of October, and the 1st of De- "cember, 1802; and the 1st of February "1803, under the value of 5l."

The question was put on this motion, and agreed to.

The Earl of MOIRA said, that the measure now proposed was, under the present circumstances of the country, of so singular a na-

ture, and of such extreme importance, that he trusted it would not be further proceeded in without having strong and satisfactory reasons adduced to the House to furnish a ground upon which they might be justified in assenting to it. He conceived the adoption of such a measure at the present moment to be a strong and even a violent interference with regard to private property; and to be one likely to be attended with very serious consequences to the welfare and security of the nation at large. In order to ascertain the motives which induced Ministers to propose the measure, and the quarter from which it might be supposed to originate, he felt it to be his duty to move for a variety of accounts, which might contribute to give some insight into those motives, and afford some information and satisfaction to the House and the public, respecting the propriety of adopting the measure. The measure was brought forward by Ministers, either at the solicitation of the Bank, or from a conviction of its political expediency or necessity in the minds of Ministers themselves. These were points upon which their Lordships should have due and adequate information laid before them, before they could well attempt to decide on the merits of the question. Indeed, it was generally understood that the Directors of the Bank had on the present, as upon a former occasion, expressed their readiness and ability to resume their payments in specie, if Government would permit them so to do; and he saw no reason to entertain a doubt of the sincerity of that declaration on their part: but was it not necessary that Ministers should come forward with the grounds upon which they deemed the measure necessary or expedient, as upon those grounds alone the House and the public were to judge of the propriety of adopting it? The motions he had to make would tend to throw some light upon the question, and to guide the judgment which their Lordships would have to pronounce upon it. In order to satisfy the country respecting the state of the Bank, he should think it proper, in the first place, to move, "That there be laid before the House an "account of the outstanding demands on the "Bank, together with an account of the funds "in their possession (exclusive of the debt "due by Government to the Bank), applicable "to the discharge of the same, on the year "ending 5th of January 1803." With the same view he should next move, "That there "be laid before the House a comparative "statement of the quantity of cash and bullion, and paper, in circulation in the year "1797, with a statement of the same as they "stood on the 5th of January 1803." The principal ground stated in another place for the necessity of continuing the restriction, viz. the unfavourable state of the exchange between this and other countries, he should next have occasion to animadvert upon, and call for proofs to substantiate that assertion. He should therefore have to move, "That "the proper officer do lay before the House "an account of the course of exchange be"tween Hamburgh and London, as it stood "on the 1st of every month for twelve "months back, ending the 5th of January "1803." And here he could not forbear expressing his astonishment, that any such reason could ever have been advanced as justifying the adoption of the proposition now before their Lordships; for if any reason stronger than another could be urged why the course of exchange was against this country, surely it was the restriction on the cash payments of the Bank. This argument the Noble Lord illustrated, by supposing that if, for one hundred guineas, paid him at Hamburgh, he offered a bill to that amount in London, he should meet with no person to accommodate him with that sum on the terms he proposed; for though his draft might be equal to that sum in England for the purpose of acquiring whatever might be there purchased for Bank paper, yet it would not be the same to the Hamburgh merchant, were he to have occasion to send it to America. The restriction on the Bank was therefore an obvious cause of the unfavourable state of the exchange with regard to England. Other reasons, but they, perhaps, were industriously concealed, should undoubtedly be brought forward by Ministers to satisfy their Lordships before they could be prevailed upon ultimately to acquiesce in the present measure. Their Lordships had heard much of the very prosperous state of the finances, and the very flourishing condition of the revenue of the country. But if such an extraordinary influx of wealth, and such an exuberance of financial resources, could be justly boasted of, why should the course of exchange be against the country, or where could be the necessity of this restriction on the Bank? He was concerned to say, that on this point many suggestions occurred to him which might create a suspicion that the state of our resources was not exactly such as it had been represented, or that some miscalculation had inadvertently crept into it, which to him rendered it exceedingly obscure. He was inclined to believe the latter supposition; for otherwise it was not possible for him to understand many of the financial statements which had been brought forward as instances of the national prosperity; particularly those which related to the flourishing state of the consolidated fund, respecting which he should also have a motion to make. Upon a general view of the motives that could prompt Ministers to renew this measure at the present moment, he was at a loss to conceive how they could be screened from a suspicion of having some collusion with the Bank in

proposing it. The Directors of the Bank, so far from betraying any solicitude for the renewal of the restriction, have, on the contrary, expressed their willingness to take it off. The anxiety for its continuance must therefore rest solely with Govt. But why this anxiety on their part? Was it that they might enjoy the momentary and paltry triumph of appearing to meet the present exigencies of the state, without being driven to the usual expedient of a loan?—and, if so, have they succeeded in the attempt? By no means; on the contrary, they, in his mind, had recourse to a much worse expedient: they issued Exchequer bills on Exchequer bills to an unprecedented amount under similar circumstances of the country. They would now suppose us to be in a state of profound peace: he, however, must think our situation to be extremely doubtful and precarious, and perhaps not far from an open rupture. Yet what have they done? They have issued nearly triple the amount of Exchequer bills of what was issued at the close of the American war. The amount of Exchequer bills then issued was little more than five millions; now it is little short of fifteen; and by so doing they have deprived themselves of a resource in a time of peace, which every provident minister would have cautiously reserved and kept under his hand in order to provide for any sudden emergency, such as the country may now be threatened with. It was to this view of the question that he most earnestly entreated their Lordships to direct their attention, for to him it appeared one which called for their Lordships' most serious consideration: and here too it might be suspected that a collusion between Government and the Bank principally might be traced. Ministers might expect that the Bank would be more eager to take up the Exchequer bills than to pay their own notes, since Ministers were encouraged to issue them to such a large amount, holding out to the Bank at the same time the prospect of a renewal of the restriction as an encouragement to their granting this accommodation to Government. There were other accounts which might afford additional information on these points, particularly "An account of "the state of the Consolidated Fund, and of "the sums paid out of the same on the 5th "January, 1803." Also "An account of the "price of standard gold at the same period." When this information was duly before the House, he trusted their Lordships would be fully enabled to form an accurate idea of the propriety of assenting to the present measure; for, without the production of more cogent reasons for its adoption than had hitherto come to his ears, he could not conceive how their Lordships could be prevailed upon to agree to what must appear to the public, and be felt by the country, as a violent interference with respect to private property, and a strong violation of the public faith. In a future stage of the bill he should deliver his sentiments respecting its tendency more at large: at present he should content himself with moving, "That the accounts he had "alluded to be laid before the House." The Noble Lord then concluded with moving for the first account, viz. that of the "Outstanding demands on the Bank, and of the "funds applicable to the discharge thereof, "exclusive of the debt due to the Bank by "Government."

Lord PELHAM observed, that the Noble Earl, in whatever view he might consider the general tenour of his observations, had spoken fairly out, and was so far entitled to praise on the score of candour; for his own part, he should be as explicit: and first he observed, with respect to the suggestions of the Noble Earl, as to the grounds of the measure now before the House, it was by no means proposed at the instance, or in consequence of the application of the Bank. It was purely a measure of Government; his Majesty's Ministers, under all the circumstances of the case, having deemed it advisable to propose a continuance of the restriction on the payment in specie at the Bank. He could with equal truth assure the Noble Earl, that it was neither the result of any compact nor connivance between Government and the corporation in question, but proceeded *bonâ fide* on the grounds he had stated. With respect to following the Noble Earl, even in his observations upon the subject regularly before the House, it was not his intention, as the information called for at either side of the House, was not yet before them. The second reading of the bill would afford a regular opportunity, and the attendance, in all probability, would be fuller than at present. Other points adverted to by the Noble Earl, were obviously unconnected with the regular subject of discussion. A few observations, however, in the present instance, he felt himself called upon to make. The Noble Earl had frequently alluded to the unfavourable state of the exchange, and seemed to assert that that circumstance was in consequence of the restriction. The recollection of plain facts would overthrow this position—their Lordships would doubtless recollect generally, as he was not then able to speak particularly as to dates, &c. that at the time that very necessary and salutary measure first commenced by the Order of Council, and soon afterwards became a legislative provision, and indeed for some years after, the course of exchange was favourable to this country, and that it was not until these latter years of scarcity, when it was necessary to send specie and bullion out of the country to procure supplies of corn, that the exchange became unfavourable to Great Britain. With respect to these motions, the tenour of which seemed at least to call the validity of the Bank in question, he felt it his duty to oppose

them; they were at best unnecessary. The inquiry in the first instance proved the strength and stability of the Bank, and its power and inclination to meet and answer abundantly all demands whatever against it. Surely, then, on the ground taken by the Noble Earl himself, who had repeatedly insisted that the Bank was now in more favourable and prosperous circumstances than at the time when the measure was originally proposed, the production of such papers must be totally unnecessary. In short, such a proceeding could not possibly be productive of any good effects, whatever it may of a contrary nature. To some of the others, when modified, so as to be rendered practicable, or less troublesome to those who were to be concerned in furnishing or making up the accounts, the Noble Secretary of State seemed to entertain no objection.

Lord AUCKLAND objected to the motions in question, precisely on the same grounds. They were at best unnecessary, as the former inquiry afforded full proof of the solidity of the Bank, and its ample powers to discharge all claims upon it. He did not affect to speak particularly; but the result of the inquiry was, taking them in round sums, that the outstanding notes and claims upon the Bank amounted to about 13,000,000*l.*; that its assets were 17,000,000*l.*, independent of the debt of 11,000,000*l.* for which Govt. was responsible to them. In consequence of this appearing, every man in the country was easy on that score; the general anxiety was at once relieved. The Noble Earl even insisted that the situation of the Bank was since greatly ameliorated. Then why institute an inquiry? In addition to what had fallen from his Noble Friend, as to the causes of an unfavourable course of exchange, he had to suggest, that the large remittances of cash in various ways, as payment of subsidies in particular, amounting to an aggregate of between 30 and 40 millions, in a great degree contributed to it: these remittances were not yet wholly made—those pecuniary accounts were not yet quite wound up. When they were joined to the consideration of the growing commercial property and increasing wealth of the country, there was every reason to suppose the course of exchange would return to its accustomed favourable course.

A sort of explanatory conversation then ensued between the Earl of Moira, Lords Pelham and Auckland, and the Lord Chancellor; in the course of which the Noble Earl declared, he was not tenacious of his two first motions, and had no thoughts of pressing to a division upon them. On these the question was afterwards put, when they were negatived by the House. The others, which respected the course of exchange, at given periods between this country and Hamburgh, the amount of the issue or outstanding notes on the 25th day of every month in the last year, and on the other topics relative to the subject before the House, were either agreed to, or, in consequence of some satisfactory explanations given by the Noble Secretary of State, withdrawn by the Noble Earl.—The documents moved for by Lord Auckland were ordered accordingly.

HOUSE OF COMMONS.

Monday, Feb. 21. [*See Minutes, p.* 284.]

[DISMISSAL OF MR. MARSHALL.]—Sir WILLIAM ELFORD spoke as follows: Sir, I rise in pursuance of the notice I had the honour of giving to the House some time ago, to submit to its consideration a motion, which has for its object an inquiry into the causes of the dismissal of Mr. John Marshall, late master shipwright of his Majesty's Plymouth dock-yard; and into other circumstances in the conduct of the Board of Admiralty. Although I shall not have any improper motives publicly assigned for the part I am now taking, because it is unparliamentary so to do, I am particularly anxious that no suspicions of that nature should rest in the mind of any Honourable Member; and I therefore trust I may be permitted to say a word on that subject before I proceed.—It might occur to Gentlemen, that, as I have the honour to be one of the representatives of the borough of Plymouth, and this transaction took place in that neighbourhood, I may be influenced by some considerations of local politics; I can assure the House, however, that of Mr. Marshall I knew nothing (except by character) until the last summer;—that I know none of his connexions, nor has he, to my knowledge, any kind of intercourse with, or relation to any one person whom I have the honour to represent: neither, Sir, am I guided by any considerations of personal enmity to the honourable members of the Board of Admiralty; I can have no private enmity to them; nor, if I had, would it, if I know myself, influence my conduct here. I shall speak of them as public men, and shall advance nothing injurious to their feelings, beyond that which is necessary to establish certain facts which regard them in their public characters. Neither am I influenced by any view of factious opposition to his Majesty's government, a principle on which I never have acted, and trust I never can act. These are the motives by which I am not influenced; those which do guide me are, first, to vindicate the character of one of the most meritorious, most skilful, most zealous, and most injured men this day existing in his Majesty's dominions; and which becomes the more necessary, in consequence of what fell from an Hon. Member and a Noble Lord, whom I have not the honour of knowing, in this place, some time ago, relative to Mr. Marshall; the first of whom asserted, in unqualified terms, his undoubted

delinquency, and the latter, from worthy and kind motives I am sure, first asserted his conviction of his innocence, and a few days afterwards a belief of his guilt; which latter was inferred from Mr. Marshall's not having taken steps to justify himself, and having submitted quietly to his fate. This inference, I trust, I shall completely do away before I sit down. The other motive is to make some strictures on certain acts of the Board of Admiralty, which I consider as, equally with this, injurious to the public service. I never address this House without very considerable agitation; which however, much as I experience it at present, would be still greater, did I not feel that the task I have undertaken is not one which requires any great talents or knowledge; that it will consist in little more than a statement of facts, which will enforce their own inferences; and that I shall therefore have to trouble the House with little of argument, and with few observations beyond those which will be necessary to explain such circumstances in Mr. Marshall's case, as are of a professional or technical nature. I shall state nothing as a positive fact but what I know to be so; and nothing as a reputed one but what I firmly believe such; being always open to correction, should I advance any thing which is not well founded.—In Feb. 1802, a committee of the Navy Board, consisting of Sir William Rule, Mr. Gambier, and Mr. Tucker, late Secretary to the First Lord, went to Plymouth dock, to examine into the conduct of the late master caulker there, against whom some charges had been exhibited. During the course of his examination, there appeared some circumstances which induced them to ask certain questions of Mr. Marshall, Mr. Lugger the Clerk of the Survey, and another officer of the yard; and they were informed that they might write to the Board in explanation. Mr. Marshall (and I believe the others) did so; but, as there was no specific charge against him, he could only guess what was the nature of the suspicions entertained, and therefore made the best explanation a man under such circumstances of uncertainty could do *.

Sir, I have no means of knowing what report was made to the Board of Admiralty by the Commissioners of the Navy; but I have a right to infer that it was not such as would possibly warrant the dismissal of Mr. Marshall, because I know, that in point of fact, when his dismissal was announced, some commissioners of the navy made strong representations of his eminent services, professional skill, and general character, which however availed nothing, and he and the others were dismissed in a month afterwards, without being formally accused, without being heard in their defence, and without any regard to a most useful and meritorious service of more than thirty-seven years of his life. The first intimation of his most unexpected disgrace was given him by his successor's going into his house, and shewing him the warrant of his appointment by which he was superseded. I believe it will be admitted, that some estimate may be formed of a man's conduct and character by the degree of estimation in which he is held by the neighbourhood in which he resides. Now, Sir, there was an opinion very prevalent, and I fear too well founded, that great depredations had been committed in his Majesty's dock-yards; and therefore the predisposition of the public was rather to rejoice in the dismissal of any

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* HONOURABLE SIRS,—You having been pleased, on your late visit to this yard, in consequence of the examination which took place in the several departments, to signify that the respective officers should each for themselves address you on the subject, and explain by writing, the cause of the several particulars that you had reason to be displeased with; I therefore humbly beg leave to acquaint you, that with respect to the English timber not being stamped with the initials of the officer who attended the surveys, I can say with great truth, that I never knew the practice was discontinued till about the end of the year 1800. The English timber was always surveyed by my two assistants, taking week and week with the clerk officers. As soon as I discovered that it was omitted, I immediately gave directions for the practice being resumed, and appointed a man to assist the person, who complained that the duty was too hard for him (and which, I believe, was the cause of its being omitted, in the first place); and was continued till the new regulations respecting timber took place. With respect to the timber-book kept by my assistants, it appears by the records in my office, that it was never the practice to enter any thing more than the progressive numbers, with the date and names of the officers: that being a part of duty particularly appointed to them, I never interfered, unless they thought proper to call on me for my opinion, when on the surveys of the timber. With respect to the notes made by the foreman of the caulkers, and signed by me, I beg to refer you to my letter to your Honours, when here, dated the 5th inst. and a copy of my directions therein enclosed, given in my minute of the 14th Aug. last to the respective masters, foremen, &c.—It has given me very great concern to find, that, on investigation, the business has not been conducted so as to meet your approbation. All I can say is, that you may depend on my doing every thing in my power to cause the whole of the business in my department to be carried on to your satisfaction in future. I hope and trust that no intentional omission of duty can be imputed to me; I have endeavoured, through a long series of years, in the various stations I have filled in the service, to conduct myself as a good officer and an honest man: and I declare it to be the greatest pride of my life to be considered as such, and flatter myself that I shall have the happiness of being considered in that light by your Honours. I am, Hon. Sirs, &c. &c.

Feb. 1802. JOHN MARSHALL.

Hon. Navy Board.

of the officers, as their disgrace might be attributed to a discovery of their collusion in such practices; but, notwithstanding this propensity, such was the effect of character, that all ranks and degrees of persons in the neighbourhood, convinced of their innocence, expressed only compassion for their unmerited disgrace, and indignation at those by whom it was inflicted. I can assure the House, that this was not one of those sudden and transient emotions, which are quickly excited, and soon subside; but that, after all the inquiry and investigation which that event has occasioned, the same sensation continues undiminished. It was demonstrated at the time, by the general and almost universal tokens of respect shewn to these unfortunate gentlemen by persons theretofore unknown to them, by officers of the navy and army, as well as by the inhabitants in general, paying them personal attention; and the same tokens of regard continue to be shewn to Mr. Marshall and Mr. Lugger, the only two who now reside there, to this very moment.—Sir, Mr. Marshall, on consultation with his friends what measures he ought to pursue in justification of his conduct, was strenuously advised to rest quiet for a time, in hopes that, when his character and meritorious services should be duly considered, his severe sentence would be reversed; but finding, after some months, no probability of such a result, he wrote a letter and memorial, of which the following are copies, to Lord St. Vincent *.——

* MY LORD,—I most humbly take leave to address your Lordship on the subject of my dismissal from my late situation of master shipwright of his Majesty's dock-yard at Plymouth dock. Not having the honour of being personally known to your Lordship, I am induced to presume has, in a great measure, been the cause of my misfortune. Had your Lordship been a witness to the strict and constant attention I always paid to my duty, which many of the admirals and captains of the fleet have whose ships have been fitted and refitted at the ports I have served in, I flatter myself I should have experienced a better fate, and the honour of your Lordship's patronage and protection.——I have, my Lord, been favoured with very strong certificates from many admirals and captains of the fleet, expressive of their approbation of my conduct and abilities as an officer, which I have obtained only from a desire of making my real character known to your Lordship, and to endeavour to remove those unfavourable impressions, which, from the severe censure which has been inflicted upon me by the orders of the Rt. Hon. the Board of Admiralty, I am induced to believe, has hitherto not been known to your Lordship; and which if your Lordship would permit me to lay before you, and that you will take the trouble of perusing, I flatter myself you will see cause of considering my case in a more favourable light, and either restore me to my former situation, or grant me such relief as will afford myself and family a comfortable subsistence.——I was seven years, my Lord, master shipwright of Plymouth yard, during which time I never slept out of it more than two nights, except upon duty; and I beg to assure your Lordship, upon my sacred word, that my zeal for the promotion of his Majesty's service has ever been constant and unremitting.—I understand that neglect of duty has been attributed to me, inasmuch as not having caused (agreeable to the instructions of the Navy Board) the English timber to be properly marked, on the survey, and receipt of it into the yard; to which I humbly beg leave to observe, that, my avocations being so much engrossed, and taken up in the other various and urgent duties of my department, the survey of the timber had always been done by one of my assistants, and a clerk officer; of course I could not be accountable for an omission of that kind: but as soon as I discovered that it had been omitted, which was in the latter end of the year 1800, I immediately caused the marking to be resumed; and it has been correctly done from that time to the time of the late inquiry made by the Hon. Navy Board, of which they appeared satisfied.—I shall not trespass longer upon your Lordship's time, than to request you will favour the enclosed paper with a perusal, which contains an account of the various situations and services in which I have been engaged in his Majesty's service, and which is faithfully detailed. With mine and family's earnest prayers that your Lordship will take our situation into consideration, and grant us relief, I remain with all due submission, my Lord, &c. &c.

Plymouth Dock, JOHN MARSHALL.
June 17, 1802.

The Rt. Hon. John Earl St. Vincent.

MY LORD,—I most humbly beg to inform you, that I came into his Majesty's service in the year 1765, as an apprentice to Sir John Henslow, then belonging to Portsmouth dock-yard: I remained there under the patronage of Mr. Hunt, who was master shipwright, as a draughtsman, till the year 1775; I then went to Plymouth, on the appointment of Sir John Henslow, as master shipwright there. In 1776, I was made a quarterman, and appointed an overseer to the building a man of war at Messrs. Adams, Barnard, and Co. in the river Thames. In 1777 I was appointed to build a man of war at Mr. Barnard's at Ipswich; and after that another. In 1779 I returned again to Plymouth yard. In 1780 I was appointed to build a ship of war at Mr. Fisher's yard at Liverpool, and remained there till the end of the American war in 1783; in all which time I built seven ships of war: after which I returned to Plymouth yard, and was appointed foreman of the new works, and occasionally acted as purveyor till 1785, when I was appointed draughtsman to Sir John Henslow at the Navy office. In 1786 I was appointed by the Admiralty Board, master mast-maker of Deptford yard; and I was ordered to Liverpool on service to take up tenders; and in 1788 was appointed to go into the Grampian mountains, to survey, and report on, the forest of Glenmore, belonging to the Duke of Gordon; which service I performed very much to the satisfaction of the Navy Board, and every person concerned. In 1790, I was appointed builder's as-

Mr. Marshall was dismissed; in which are stated the grounds and charges on which that event was founded: it would be to accuse that Noble Lord of the grossest duplicity to suppose, that when his reply purports to be a statement of the causes of Mr. Marshall's disgrace, he had not enumerated them fairly and fully; and I have therefore a right to lay down the position, that these were the causes which operated on the mind of the Board of Admiralty to dismiss this long-tried and meritorious servant of the public; and that any proof of misconduct which subsequent investigations and scrutinies, by oaths, or otherwise (on which I shall say a word by and by), may have produced against him, even admitting for argument's sake only, that the grossest misconduct has been discovered, do, in fact, create no excuse whatever for this violent measure, although it might indeed have been a sufficient reason for not reinstating Mr. Marshall, in case he should have been acquitted on examination of those charges on which he was stated to have been dismissed.—Soon after the receipt of this letter, Mr. Marshall was informed, that the Boards of the Admiralty and Navy were expected at Plymouth; and he waited their arrival with that anxiety, which a man, conscious of integrity and injury like his, must naturally experience, until the due opportunity was afforded him of manifesting them, by that investigation into his conduct, which, as a British subject, and by all the analogies of the criminal jurisprudence of his country, he had a right to expect. After endeavouring in vain to obtain an audience of Lord St. Vincent, Mr. Marshall watched an opportunity to put a letter into his Lordship's hands*.—

sistant at Sheerness, under Sir William Rule; and in the same year I was appointed assistant to the surveyors of the navy. During my stay in that office, I was ordered to Greenock in Scotland, to a ship driven into the Clyde in distress; and once to Leith in Scotland, to take up, and fit out, transports for the troops going to Holland, when General Abercromby and Lord Adam Gordon gave me the strongest marks of approbation to Sir Henry Martin, the comptroller of the navy, for my perseverance and dispatch in fitting those ships; and I had the thanks of Sir Henry. On my return I was appointed master shipwright of Sheerness yard; and in 1795 I was appointed to Plymouth dock-yard. I have been thirty-seven years in his Majesty's service; and I can say with great truth, that his Majesty has not a servant that has acted upon purer principles, more careful of his Majesty's stores, or more conscientious in the discharge of his duty; and it is the only comfort in my very great distress, that I have that character from all ranks of people that know me. Had I been idle, neglectful, wanting in abilities, or dishonest, I should have deserved my fate.

To which the following reply was made by his Lordship:—Sir, The Board gave full consideration to your services, which were duly represented by the Navy Board, but found it impossible to pass over the total dereliction of your duty, which appeared as well in signing extra notes for caulkers' and the painters' work, as in the circumstances you have stated; and every day's experience proves the material injury the public has received by the system formerly pursued in Plymouth yard. I am, Sir, &c. &c. ST. VINCENT.

Admiralty, June 22, 1802.

* MY LORD,—On your Lordship's arrival at this place, I at first intended to solicit you to grant me a personal interview; but when I witnessed the multiplicity of weighty and important concerns which engaged your time and attention here, I deemed it no less respectful to your Lordship, than satisfactory to myself, to adopt this method of addressing myself to your most serious consideration. It would be impossible, my Lord, to enter into the details, and the reflections they suggest, of a case so peculiarly severe and afflicting as mine is, without previously trying to engage such a portion of your Lordship's calm and patient attention, as will ensure me a full and perfect hearing, in what I have now the honour to state to you, whether I remonstrate in the forcible language of conscious integrity, or give vent to the wounded feelings of oppressed innocence. Before I enter upon my justification afresh, I feel it my duty to offer to your Lordship my acknowledgments and thanks for the answer which you condescended to make to my letter to you of the 11th of June last; and I feel the more obliged for such an instance of your favour, as I am thereby enabled to ascertain, in some measure, the cause of that displeasure, and the nature of those imputations, which, after a faithful discharge of my duty for thirty-seven years to my King and country, have deprived me of my bread, and driven me in the decline of life, forlorn and destitute, surrounded with a growing family, to form new connexions, and open new avenues for earning my subsistence! But I will stifle the voice of complaint, and appeal to your Lordship's justice and humanity only.—At the expiration of nearly four months from the time when I was dismissed, with every token of ignominious disgrace, from my official situation, as master shipwright of Plymouth dock-yard, ignorant of the nature of the accusation preferred against me, unconfronted with my accusers, unasked for my defence, I found myself charged, under three heads of culpability, by your Lordship, which I humbly beg leave to be allowed to meet and answer distinctly.—In the survey of timber brought into the dock yard: being sensible of the acknowledged ability and general attention of my assistants, I committed to their trust, in conjunction with a clerk officer, the charge of surveying and marking all English timber received into the yard. (The foreign timber I always surveyed myself, consistent with the practice of former builders, and agreeable to the instructions of the honourable Navy Board.) It was not till the latter end of the year 1800 that I discovered, that the officers appointed to execute this duty had omitted to mark on the pieces the initials of their names, and the date of the time when they were received. Upon being informed of it, I lost not a moment in causing the usual practice to be resumed; and it was ever after punctually performed. Even in scrutinizing this omission, fraud or imposition was never imputed to those to whom this duty, though incom-

It would be an insult to the feelings of the House, were I to call their attention to the style and language of this letter, or to ask them, whether it appears to be written by a man who had been meanly pilfering and defrauding the public; or of one who, conscious

petently executed, was delegated; nor has malice or misrepresentation dared to suggest, that a false admeasurement was used, or that the public suffered any pecuniary injury from the negligence of the clerk officers and my assistants.—Respecting the charge of improperly signing extra notes for caulkers, I have only to reply, that during the period I was master shipwright of Plymouth yard, I strictly complied with the regulations laid down by the honourable Navy Board; treading in the steps of my predecessors, and the general approved practice of his Majesty's service.—When caulkers were ordered to work on board ships afloat, the foreman of the caulkers received his directions from the master caulker to make out extra notes for the persons so employed, agreeable to the board regulations; which notes, after being signed in that department, were brought to me for my signature, to authorize the clerk of the check to set off such extra labour, and to make out a victualling note, in order that the parties might receive their provisions aboard.—In the performance of this part of my duty I am not conscious of having failed to exert the utmost circumspection I was capable of, to prevent irregularity and imposition of every description; no stronger proof of which can be exhibited to your Lordship than my having issued an order (a copy of which I annex to this letter for your Lordship's consideration) in consequence of a single instance of supposed delinquency having been intimated to me. You will please to observe, my Lord, that with a view to impress, in the most forcible manner, upon the minds of those concerned, a sense of their duty, I required all the subordinate officers to put their signatures to the original order now in my possession, that no person might, at any future time, plead ignorance of its nature and extent.—From this period I never heard, or had room to believe, that any abuses existed in this department, until the investigation by the Navy Board took place: the result of which inquiry I did, and still do presume to think, attached criminality only to Mr. Pasco, the late foreman of the caulkers.—The third and last charge against me is, for having improperly signed extra notes for the performance of painters' work.—My Lord I challenge the records of office to produce any notes of this description with my signature affixed to them, except in those instances when the painters' work was executed by the carpenters of the ships making a demand for a supply of paint; in which case I complied with my instructions, by causing the proper proportions allotted for that purpose to be furnished to them accordingly.—To the existence of any abuse in this particular I am a stranger. In regard to painters' work, performed in the harbour by the painters of the dock-yard, or within the yard itself, I never, my Lord, in a single instance, failed to have my measurer present, to measure the quantum of work done, in order that the bills for it might be correctly made out. If, therefore, any omission or negligence be imputable to any person in conducting this branch of the public service, it cannot be attributed to the department over which I presided.—I have now, my Lord, I trust, replied completely and satisfactorily to all the charges exhibited against me in my late official capacity. But there is one point yet untouched. I have been informed, that, as the head of an office, I was responsible for *all* abuses, neglects, or omissions, committed by the subordinate officers of my department. Such a principle I seek not either to deny or resist. I claim, my Lord, only the liberal and honourable interpretation of it on my conduct. Let the magnitude, variety, and intricacy of the complicated operations, incident to my late official situation, be fairly estimated; let the period of time *(nine years of war)* in which I held it at Sheerness and Plymouth, be remembered; let those who commanded fleets and ships, dependant upon this yard for repairs and supplies of every kind, declare what were my exertions, and when I was ever known to shrink from the innumerable duties of my station. But why should I offer to your Lordship the certificates and expressions of esteem and approbation of subordinate officers, which are in my possession? No: to the head of the naval profession at once; to your Lordship's own testimony; to that of your noble predecessor in the command of the Channel fleet, Lord Bridport; and to your successor, Admiral Cornwallis, I dare to make my appeal, and with honourable confidence demand, when were greater or more unremitting exertions used to refit and supply the British fleet, than during the long and arduous period in which it blockaded Brest, when its wants and deficiencies necessarily fell principally upon Plymouth dock-yard. It is not in the arrogance of vanity, but in the honest consciousness of professional ability, undeservedly degraded, that I dare to challenge comparison with those for whom I have been displaced, whether in the details or grand outline of my duty as a shipbuilder, and the director of the operations of a great naval arsenal.—I cannot take leave of your Lordship, without again imploring your undivided attention to a case, which, when considered in all its parts, has been punished with a severity beyond all former example. I am no stranger to the generosity of your Lordship's disposition towards the unfortunate, nor to the justness of the principles which govern your conduct in your exalted official capacity. I claim an extension of those qualities to myself, only when my character, both for integrity and professional talent, shall have been investigated, and been pronounced upon: such an investigation I supplicate from your Lordship in its most unlimited severity of application. I have been taught to consider it as a general principle of my country, when palpable and direct delinquency did not mark the conduct of the accused: and I feel confident that Lord St. Vincent will not withhold it from me.—I have the honour to be, my Lord, with the most respectful consideration, your Lordship's most dutiful, &c. &c.

Rt. Hon. John Earl St. Vincent, JOHN MARSHALL.
30th August 1802.

The order referred to in the letter is as follows:

The respective masters, foremen, &c. that are in the habit of making notes for extra, on occasions of dockings, undertakings, dinner-times, going to the Sound or Cawsand Bay, or for extra upon any occasion whatever, are hereby strictly enjoined not to put any persons thereon, but such as are actually on the spot, and employed upon the service for which the note or notes are made, as an investigation of that business is expected soon to take place; and should it be discovered that any persons have been allowed extra for services they have

of his zeal, his assiduity, his professional talents, and his undeserved disgrace, called on the justice of his country for redress. I trust, too, after having stated these letters, that no Hon. Member will infer guilt in Mr. Marshall, from any supposed failure on his part, to seek for justification of and inquiry into his conduct.—I have heard it rumoured, that the terms in which the before-mentioned order are conceived, admit of this construction, namely, that Mr. Marshall had been conniving at irregularities hitherto; but having heard they were to be investigated, he had given this caution to his associates. I hope and believe no such interpretation has ever been put on this order, because they can only have been the suggestions of the vilest minds. Had this been the case, surely he would not have given this public notice, but have put a stop to the practices referred to by private intimation; and least of all, would he have sent this very order as a ground of justification to the First Lord of the Admiralty.—Although, in the letter I have just read, Mr. Marshall has explained his conduct in such terms as doubtless must be perfectly intelligible to the First Lord and Board of Admiralty; yet there are certain details which are requisite to render his defence understood by this House, which are of a professional and technical nature, and which I shall state in as few words as possible.—The first charge is, that Mr. Marshall omitted to mark the timber which was received into the yard, according to the directions of the Navy Board. Now, the practice pursued is as follows: when timber arrives at the yard, it is taken out of the vessels and spread on the survey ground, and examined by shipwrights, by boring and spotting; after it is so prepared, a time is appointed by the surveying officers, when all the defects are pointed out to the *shipwright officer* (that is, the builder or one of his assistants), who then pronounces what abatement (if any) shall be made for any defects, which is immediately marked on the piece, in order to fix the price per load; after which the whole is measured, and its contents cut on the butt and the sides; and then the labourer who attends, *strikes on the butt the initials of the name of the shipwright officer, and the date when received.* Now, the omission charged is in the last part of this process only. It has been the practice, for a great number of years past, in the Plymouth yard (and I believe in the others), for the master builder to receive the English timber, and for his assistants to receive all foreign timber; and this is sanctioned by the directions of the Navy Board. Now, *not a single, not a solitary instance of omission has been detected in the marking of the foreign timber received by Mr. Marshall himself*; and as soon as he found that this part of the process on the English timber had been neglected, which was, as stated in his letter, by accident, in the year 1800, he ordered it to be resumed, and it was continued to the day of his dismissal. Of this first charge, however, the House will, I am sure, see that he is completely acquitted. The second charge is, that he signed false caulkers' extra notes. Now, I beg leave to state, that when a ship arrives in the Sound or the Bay, which is to be repaired afloat, the carpenter of her makes an official report of the state of her defects to the builder; who, according as the case may require, orders one or more gangs of caulkers to be sent on board: these directions he gives to the master caulker, an officer in his own department, and subordinate to him; this officer selects the men; and it is the duty of the foreman of each gang to write a list of the names of his party on a piece of paper, which being signed by him is presented to the builder, who is required by the rules of the service to add his initials; without which, they could not be acted upon at the office of the clerk of the check. These are called caulkers' extra notes, and the use made of them is this: men sent on this employment are entitled to two advantages; first, to be victualled on board the ship where they are employed; and, secondly, to additional wages while they remain there. These extra notes, therefore, are produced at the check office, and a victualling bill is immediately made out, which being carried on board the ship by each gang, is delivered to the captain, and becomes his voucher for ordering them to be victualled. Now it appears, that some of these notes have been found, on examination, to contain one or more names of persons, who, not being actually on the service, have by these means received the emoluments arising from it; and as Mr. Marshall's initials appear on the notes, he is accused of being privy and consenting to this fraud on the public. On this subject Mr. Marshall was examined by the Committee of the Navy Board, and asked particularly by Mr. Commissioner Tucker, whether he had put his signature to these notes, and whether he had seen the caulkers go on board? To the first of which he answered in the affirmative; and to the latter he expressed his astonishment that such a question should be asked him; that it was his duty to give the orders, but utterly impracticable for him, amidst his various more important avocations, to see them all executed. Now I am sure the House will see the miserable futility of this charge, when they consider, that there is not a man at the head of any civil or military department or office in the kingdom, who is not officially obliged, almost daily, to sign papers and docu-

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not performed, the consequences will be very unpleasant to the parties concerned.

13*th August* 1801. ROBERT DAVIES.

By order of the master shipwright.

To this he obliged all those whom it concerned, to subscribe their names, that no one might plead ignorance of its existence.

ments, the truth and correctness of which he can have no possible means of ascertaining, of his own knowledge; and for which, therefore, he must depend on the honesty and accuracy of those in office under him. Why, the Noble Secretary of State opposite to me, among the various documents to which he affixes his signature, might, by the treachery of his subalterns in office, be induced to sign a warrant for blowing up this House; but what is more in point is what I am sure the Rt. Hon. Gent. near him (the Secretary at War) well knows, and when he was an officer in a corps of militia must have often experienced: when the quartermaster has brought to him, as commanding officer, a weekly state of the expenditure of beer and bread for the regiment, which is to be authenticated by his signature, can it enter into the mind of any man, that any other responsibility attaches to him, than that which arises from this expression of his belief, that the statement is a true one; or, that he could himself have seen the bread and beer actually consumed? No, he must depend, and by his signature can only be construed to express his dependance, on the accuracy of the statement. Circumstances analogous to this also occur to captains in the navy, whose signatures are requisite to authenticate the accounts of many of their subordinate officers, for the accuracy of which they must also depend on the truth of those who present them; and the builders of the dock-yards are required to put their initials to these notes, the truth of the statements in which they have not a possibility of ascertaining; but are only expected to express, by this act, a belief in their accuracy. But although the builder has no means personally of detecting a fraud in this branch of his duty, that power exists in the clerk of the check, whose office is created for purposes of that kind, and for neglect of this very duty, his first clerk (the principal, Mr. Tucker, not being there) was suspended for four months, and afterwards restored by the Lords of the Admiralty, together with the pay accruing during the suspension. I trust, therefore, that of this charge against Mr. Marshall, he is completely acquitted. The third and last charge against him is, that he connived at a false admeasurement of painters' work. He has, in his letter to Lord St. Vincent, so fully exculpated himself on this head, that I shall only add two words to what he has there said. When painters' work is to be measured, a clerk from each clerk officer's department attends, and those on the part of the builder and clerk of the check, are persons appointed by the Navy Board, and called respectively builder's and clerk of the check's measurers; minutes are made by all these persons, in separate books, of the amount of the admeasurement, which operate as checks on each other: and on their general correspondence, a navy bill is made out for the payment of the work; in which the builder has literally nothing to do, unless he had grounds to doubt the integrity of his measurer, in which case it would be his duty to interfere.—These, then, are the charges on which Mr Marshall was ignominiously dismissed from his office, after a faithful, zealous, and meritorious discharge of his duty for thirty-seven years; and this is the defence he would have made, had he been fairly and openly arraigned, and admitted to that privilege which British subjects are generally believed to enjoy, and which he himself so earnestly solicited, that of being heard in his defence, after he knew of what he was accused. But we shall be told of subsequent discoveries of delinquency; that when, some years before, he was builder at Sheerness, there was an office servant born on extra, or some miserable charge of that sort. The very scrutiny for past offences, after his dismissal, argues the badness of the cause which was to be so supported; but I again contend, that, had the foulest corruption been afterwards detected, it would form no palliation of the violence and injustice of the conduct of the Admiralty; but this, only for argument sake, as I should be glad to meet them on that ground also. I do not contend that Mr. Marshall is without human frailties: "let him that "is without fault cast the first stone." But this I will aver, that if, from the highest man in office, to the lowest, from the Rt. Hon. Gent. opposite to me, of whose honour and integrity no man thinks more highly than myself, to the head of the lowest department, persons are to be dismissed from their places on such grounds as those on which Mr. Marshall lost his situation, no one could stand for a single hour: and each day would witness fresh dismissals, until a new and more perfect set of beings could be provided to fill up the vacancies. But other attempts have been also subsequently made, by very extraordinary means indeed, to discover whether Mr. Marshall ever took any money for his recommendation of those persons who held subordinate situations in his department. In order to effect this, directions were given by the Board of Admiralty, that the Commissioners of the Navy should order the commissioners at the out-ports to administer oaths to all persons in the dock-yards (at Plymouth certainly, and I presume at the others), as to the following points—When entered, and in what station—when advanced, and to what station—sum or sums of money paid on entry or advancement—when and to whom paid? I hold in my hand a printed paper with the before-mentioned heads; one of which was presented to every person holding office, the columns of which he was ordered to fill up, and to take an oath before the commissioners to the truth of his statement. Thus at the very time that an application was made to this House, by the Hon. Gent. opposite to me, for leave to bring in a bill for the appointment of commissioners, with a power to administer oaths; at the very

time that a discussion on the propriety of granting such a power was pending; at the time that a proviso was suggested, by the first law officer in the kingdom, to prevent persons criminating themselves, and adopted by Parliament, to take away the most objectionable part of such a power, which in a great measure rendered it nugatory; at that very time, and subsequent to passing the act so limited, were the Lords of the Admiralty, through the agency of the Commissioners of the Navy, exercising, in the fullest extent, the administration of oaths to official men, uncontrolled by that proviso, and thus compelling those in subordination to them to disclose that which must to a certain degree tend to degrade, if not to criminate themselves. I do not give an opinion, Sir, that this was, or was not, a most illegal or unconstitutional proceeding; but of this I am sure, that it was one of the boldest measures, which, under such circumstances, could have been undertaken. I mean not by these observations to cast the least reflection on the conduct of the Commissioners of the Navy, for whom generally, in their public conduct and private character, I have the greatest respect; nor on the conduct of the commissioner of the Plymouth yard, to whom I particularly alluded; he acted under orders which it was his official duty to obey.—But what was the result of this severe scrutiny into the means by which places or advancement had been obtained, as it regarded Mr. Marshall? Although it seems he might have pleaded precedent for the practice, not one solitary instance of his ever having taken a shilling for his recommendations or appointments was found against him.—That Mr. Marshall was not venal and corrupt, therefore, the above investigation fully proves. Of his moderation, his liberality, and disinterestedness, as well as of his skill and ingenuity, the following circumstance will convince the House: about six months before he was dismissed from his employment, he invented a machine, by which a very great improvement was made in cutting the screws used in lifting and launching ships, and in other operations in the yard: by these means a nut and screw could be cut in thirteen minutes, which in the old mode required nine or ten hours manual labour, and in a much more perfect manner; as is generally the case where machines are so applied. His friends earnestly pressed him to obtain a patent, to secure to himself the profits of this very important discovery. This was his answer: "No—I am a servant of the public, and "they have a right to the fruits of my talents "and my skill." It may be said, that the Board of Admiralty are not aware of this beneficial discovery, or that it was made by Mr. Marshall; but I have to inform the House, that, when their Lordships were at Plymouth, they were shewn this machine; they saw its operation, were told by whom it was invented, and gave a minute, directing it to be used in all his Majesty's dock-yards. One might have thought, that their Lordships would have been glad of an excuse—would have been happy in the pretence thus afforded them, of making some amends for the injury they must by that time be convinced they had done. No; while the public are thus deriving such benefits from this discovery, neither reward nor even acknowledgment has been made to the liberal and injured inventor*.—There are several

* Of the character which Mr. Marshall has sustained among those whose professional talents, high rank, and necessary intercourse with him for many years past, have enabled them to form a just estimate, the following certificates will evince:—These are to certify, that Mr. John Marshall, late builder of Plymouth yard, when I fitted out the Leda, in the beginning of this war, at Deptford, which ship was repaired and fitted by contract, Mr. Marshall was then surveyor of the navy's assistant, there being then only one surveyor; and I can firmly attest, that he acted with such equity and justice, both to the contractors and to his Majesty's service, that it did him the highest credit, both as a man, and in his official capacity.—He also docked the Terrible at Plymouth, when he was builder there; and also refitted the Dragon, and altered the whole of her magazine; and I can confidently avow, that since I have been in his Majesty's service, I never met with a man, who could possibly pay a more strict attention to his duty than Mr. Marshall; I never recollect going into the dock-yard, but I saw him very attentive to his employment; and as far as I may be allowed to judge, I think him a very able man in his profession.—Given under my hand, this 8th day of October 1802.—At Plymouth.

GEORGE CAMPBELL.

These are to certify, that Mr. John Marshall, late master shipwright at Plymouth yard, has always given me much satisfaction, by his exertions in refitting his Majesty's ships Robust, Formidable, and Mars, several times at Plymouth; he has always been highly spoken of by captains of the ships that were under my orders in Cawsand Bay, as a zealous, good, and deserving officer; which I think he truly merits, and beg to recommend him as such.—Given under my hand, at Plymouth, this 17th day of August 1802.

EDWARD THORNBROUGH.

I do hereby certify, that Mr. John Marshall, late master shipwright of his Majesty's dock-yard at Plymouth, has given me much satisfaction, by his exertions in fitting the Windsor Castle several times at Plymouth; he has been equally highly spoken of by several of the captains and officers of the navy; and strongly recommended by them, as a zealous, good, and deserving officer, which I think he highly merits; and beg leave to recommend him.—Given under my hand, at Portsmouth, this 8th day of June 1802. A. MITCHELL.

These are to certify, that during this war I have fitted out at Sheerness and Plymouth; at both which places, Mr. John Marshall was then master shipwright, who always gave me the fullest satisfaction in his department; and I ever looked upon him as a very zealous, active officer.—Given under my hand, this 20th day of May 1802. ROBERT CALDER.

These are to certify, that Mr. John Marshall, late master shipwright at Plymouth yard, always conducted himself to my perfect satisfaction, in refitting the several ships belonging to the Channel Fleet, under my orders in Cawsand Bay, particularly the Prince and Prince George, where my flag was hoisted. I have the greatest

others, with which I do not trouble the House; but I must not omit the two following, because they are from two officers of high rank and character; who commanded as port admirals, at Plymouth, during the whole service of Mr. Marshall as builder; and who must be enabled to form a most accurate judgment of his whole character and conduct †.—There is another, which although in substance a certificate, being in form of a letter, I do not feel myself at liberty to read; but I have authority to say, that the Noble Viscount, by whom it is written, and whose name, if mentioned, would command the highest respect, entertains similar sentiments of the professional skill, zeal, and general character of Mr. Marshall, with those of the other eminent and distinguished officers who have afforded testimonials to those points. It is a maxim in the English law, that where slight offences are proved, and where the evidence of higher crimes is doubtful, character shall have a preponderating weight in the scale of justice; what then ought it to have here, where small offences have not been proved, and high ones only imputed, without any evidence adduced in support of them? And I might here, therefore, safely rest Mr. Marshall's case, did I not think I should do him injustice, if I omitted to mention some circumstances which occurred a little previous and subsequent to his dismissal, from which that transaction derives much of its colour and complexion; and from which that rooted opinion has been formed in the mind of the public, that the vacancies created by the dismissal of Mr. Marshall, Mr. Lugger, and another officer, were rather made for the sake of those by whom they were to be filled up, than on account of any proved delinquency in those who were dismissed. I repeat, that this opinion is generally entertained by that part of the public whose local knowledge and observation enable them to form a judgment on that subject. One might reasonably have concluded, if it was judged necessary by the Lords of the Admiralty to make so severe, so novel, and so terrible an example, as to dismiss from their employments, without any provision, men who, with the highest reputation certainly, and, I believe, with the greatest integrity, had served the public for upwards of thirty years; that a regard for their own characters, and an anxious attention to the honour of the country, as to its public justice, would have induced their Lordships to place such persons in the vacancies so created, as, according to the routine of office, and the reasonable expectations of official men, would have succeeded to them had they been occasioned by death, promotion, or superannuation. But what was the case here? It had invariably, hitherto, been the wisdom and policy of the government, never to place any man as a builder in his Majesty's yards, who had not been qualified for that most important situation, by an education similar to that described by Mr. Marshall of himself, in the memorial of his various services, which I had the honour of reading to the House. Such, with little variation, were the education of Sir John Henslow, of Sir William Rule, whose eminent services, as surveyors of the navy, need no encomiums of mine; such, in short, had been the progress of every master shipwright or builder, without one single exception, until the present occasion, when Mr. Tucker, brother to Mr. Commissioner Tucker, was taken from a merchant's yard, and placed as builder's assistant at Plymouth. I must here particularly call the attention of the House to dates, as they are very important. This appointment took place on the 25th of July 1801 *. Mr. Tucker had

confidence in his abilities as a shipwright, and always considered him as a valuable and worthy man; doing credit to those who appointed him —Given under my hand, this 20th day of May 1802.

CHARLES COTTON.

These are to certify, that Mr. John Marshall, master shipwright of Plymouth yard, during several years I commanded different ships of his Majesty, and have refitted at that port, has ever given me the highest satisfaction in his department; and I have considered him a very zealous and superior officer, both in the science and executive line of his profession; and, according to my opinion, he constantly performed the duties of his office with much advantage to his country and great credit to himself, so as to claim the universal approbation of every officer who has had the honour of knowing him.

JOHN BORLASE WARREN.

Portugal Street, Grosvenor Square,
May 29th, 1802.

† Although the abilities and uniform conduct of Mr. John Marshall, late master shipwright of his Majesty's dock-yard at Plymouth, were conspicuous and acknowledged by most, if not by every officer, whose ships were refitted at that port, during a period of more than four years that I commanded there; and not a single complaint was ever made to me, of want of exertion to promote his Majesty's service in the master shipwright's department; and therefore my testimony seems to be unnecessary; yet, as it has been deemed of consequence, in regard to his future pursuits, I have no hesitation in declaring that I consider him to be as able an officer as ever served in that capacity, and his whole time and mind devoted to the duties of his public employment; and in his private life, he appeared to be sober, uniform, and regular.—Given in London, this 13th day of May 1802.

R. KING.

These are to certify, that Mr. John Marshall, late master shipwright of Plymouth yard, during the three years I have had the honour to command the said port, has given me the highest satisfaction in his department: and the unanimous voice of the officers that have refitted at this port does him equal justice. I have no difficulty in declaring that I think him a very superior officer, both executive and scientific; and that he has, during my command, performed the multifarious duties of his office with great credit to himself and advantage to his country.—Given under my hand, at Plymouth Dock, this 30th day of April 1802.

THOMAS PASLEY.

* On the 24th of July 1801, the day before Mr. Tucker's appointment, Mr. Marshall received an ano-

many years before served his apprenticeship in the King's yard; at the expiration of which, without having served in any subordinate office whatever, he went into the merchant's service, and remained there until the above period: when he was brought from thence, and placed at once in the important situation of builder's assistant, over the heads of all those persons who for a number of years had been in progress towards situations of that degree, and who founded their just and reasonable expectations of succeeding to them, on the practice of former Boards of Admiralty. After remaining seven or eight months in the situation of assistant, Mr. Marshall was displaced, and Mr. Tucker made builder—builder of one of the first, if not the very first yard in the kingdom; a proceeding without a single precedent in the history of the dock-yards. At that very time, a senior assistant to Mr. Tucker was Mr. Sippins, a gentleman who had been more rapidly advanced than usual, through subordinate offices, to that situation, in consequence of his superior skill and talents, and more particularly for his discovery of a most ingenious, safe, cheap, and expeditious mode of repairing the keels of men of war in dock, for which the sum of 1000*l.* had also been assigned him. This gentleman, however, although on the spot, and with such pretensions, was, with various others, passed by for Mr. Tucker. At the same time the other two vacancies, created by the dismissal of Mr. Lugger, clerk of the survey, and the storekeeper, were filled up, not by persons acquainted by previous education with the duties of those offices, but by Mr. Kitto, late purser to one of the honourable gentlemen opposite to me, and by Mr. Salt, who had, I believe, been purser to another honourable member of the Admiralty. I state these as facts, but beg to be understood as not intending to cast any reflections on Mr. Kitto and Mr. Salt; whom I believe to be perfectly worthy and respectable men. Of Mr. Lugger, whose hard case I know not from himself, but from public report only, I have already spoken: his exemplary and unimpeached character I have long known. Of the other gentleman if I do not speak, it is only because I know not his case, and cannot, therefore, by my silence, be construed to mean him any disrespect. When it is considered what the education of builders has ever been—that after having been selected for their superior talents from a class consisting of a great many thousand artificers, they have always, hitherto, passed through various gradations and employments, before they have been considered as qualified for that most difficult and important situation; surely it might have been expected, that the Lords of the Admiralty would have paused before they ventured on the rash measure of displacing a man of Mr. Marshall's high character and talents, against the strong representations too, of most respectable members of the Navy Board, according to public report; and on the still more rash and unprecedented measure of placing in his stead a man whose whole time, except for a few months before, had been employed in building ships of a totally different construction from those erected in his Majesty's yards. The consequence of this proceeding was such as might reasonably have been expected: every one has heard of what happened to the Mars, one of the finest ships in the navy; the back of which was broken, by having been imprudently put out of the dock before she was sufficiently planked to support her weight. Merchants' ships, to which the new builder had been used, would not have sustained such an injury, under similar circumstances; because, being built fore and aft for burden, their weight is borne up more equally throughout on the water, than men of war; which being constructed for swift sailing, are sharp, and overhang at the head and stern; and their buoyancy being sustained from the centre, the ends preponderate, and produce the effect above alluded to, if not sufficiently secured by strong planking at the extremities.—Another proof of the ignorance of the new builder, or of something worse, may be gathered from the following circumstance: a report was made by him to the Commissioners of the Navy, that a large quantity of timber, received into the yard in Mr. Marshall's time for ship-building, consisting of 990 loads, or nearly 700 pieces, was so defective, as to be wholly unfit for that purpose, and to be good for nothing but carpenter's work. When the Admiralty and Navy Boards were at Plymouth, a survey of this parcel of timber was ordered to be made; and Sir William Rule, a gentleman eminently qualified, was appointed to that service, who, having spent two days in examining about two thirds of it, reported, that he had so far discovered not above five or six pieces which were not perfectly fit for ship-building; and as the two Boards were about to leave Plymouth, he either himself thought any further scrutiny into the circumstances of such a report unnecessary, or was ordered to pursue it no further, as their Lordships were probably satisfied. But, notwithstanding these instances, the new builder still continues to hold his office, nor has any punishment, as far as I can learn, been inflicted on him.—I could give various instances of the ill effects of departure from long-established practice, which, although not absolutely connected with Mr. Marshall's

nymous letter, dated Admiralty, 21st July 1801, with the London post-mark, and signed Isaiah; in which it was stated, that a train was laid for the destruction of him, and other officers of the yard; that nothing but a powerful and respectful application to the King himself would save them. This letter was received seven months before any examination of Mr. Marshall and the other gentlemen took place.

case, I have a right to adduce as proofs of the inconvenience and danger of that rash system of innovation adopted by the present Board of Admiralty. It has been a practice, for a great number of years past, to assign apprentices to respectable and deserving men among the artificers in the yard, who instruct them in their respective arts, and who derive a profit from their labour during their apprenticeships. The mutual benefit, therefore, of instruction on one hand and of profit on the other, induced artificers earnestly to solicit for apprentices; and parents as eagerly to make interest to obtain that situation for their children. Thus a nursery for artificers was constantly kept up.—[Here an Hon. Member called Sir William to order, on the ground, that he was not keeping to the subject before the House. To which he replied, that if the motion he intended to submit to the House had been known, he should not have been called to order, which motion he begged leave to read; on which the Hon. Member said, had he known what the motion was, he should not have interfered, when the Speaker directed Sir William to proceed.]—The Lords of the Admiralty had chosen most materially to alter this arrangement. The apprentices are now bound to the builder, and by him assigned to the artificers, with a power, however, of resuming them, and giving them to others, as he shall see occasion. The profits also, arising to the masters, are so curtailed, that a quarterman derives no more benefit from two apprentices, under the present system, than he used to derive from one: having no additional profit, where the labour of instruction is doubled. The consequences of this innovation are extremely injurious and alarming. On the one hand, the masters are much less solicitous to obtain apprentices; on the other, parents, seeing the precarious situation in which their children would, under the new regulation, be placed, refuse to bring them forward: as a proof of which, advertisements have actually been for some time placed in the yards, for the purpose of obtaining apprentices. And thus this source of the supply of artificers for the King's and merchants' yards is in a great degree cut off. There are various other topics of a similar nature, on which I might enlarge, which have created a great disgust in the military and civil departments of the navy; but at present I shall refrain from entering into them, being sensible that I have already fatigued the House. I am aware, that from gentlemen on the other side I may hear some very strong assertions; but these I shall not consider as arguments. It may, indeed, be said, that I am in the same predicament; and that my own statements have consisted of strong assertions. I am ready to allow it: at the same time I think what I have advanced has been supported by strong, circumstantial, and collateral proofs; and there is this material difference in the assertions made by myself, and those which may be used on the other side: mine are not proposed to induce the House to come to a resolution on the merits of the case, but only to institute an inquiry into the truth of my statements; whereas those of other gentlemen will probably be urged to prevent any inquiry taking place. I may also be told, that this is not a case fit for the House of Commons to entertain; that it is not consistent with its functions and its usages to inquire into the causes of the dismissal of his Majesty's civil or military servants; which is one of his Majesty's undoubted prerogatives, without assigning any reason whatever.—I will not so far libel the country as to suppose it possible for a British subject to be oppressed and injured, without having any means of redress. I will not libel this House, by supposing it does not consider itself, not only as the representative, but as the guardian of the rights of the people. But if it should, indeed, be deemed inconsistent with the practice and functions of this House, to inquire into the cases of persons under circumstances like those of Mr. Marshall, there is one of its functions, which I am well assured it will never resign—that of inquiring into the conduct of Ministers, and persons in public offices. And therefore, although no one can be less inclined to dispute that most undoubted prerogative of his Majesty to dismsss his servants, without assigning his reasons for so doing; yet if it can be shewn that his Majesty, contrary to the known clemency, justice, and benevolence of his own mind, had been advised by any Minister to exercise this prerogative wantonly, capriciously, or unjustly, or having delegated this power, as in the instance before us, to the Lords of the Admiralty, they should so exercise it; it will not, I presume, be denied, that such Ministers, or such persons, are amenable to public censure. To this point one part of my motion directly tends: and on these grounds I cannot but express a strong hope that the House will consent to the appointment of a committee. Let me implore the Rt. Hon. Gent. opposite to me, not to set his face against an inquiry into a system, which has already been highly injurious; and must, if longer persisted in, be ruinous to the best interests of the country: and, lastly, I call on those hon. members of the Board of Admiralty themselves not to object to a motion, which, if they do not deserve the censure to which I have alluded, will afford them the opportunity of explaining and justifying their conduct. I beg leave, therefore, to move, "That a select "committee of this House be appointed to "inquire into the causes of the dismissal of "Mr. John Marshall, late master shipwright "of his Majesty's dock-yard at Plymouth, and "into other circumstances in the conduct of "the Board of Admiralty immediately or re-"motely connected with that event."

The motion was not seconded.

HOUSE OF LORDS.

Tuesday, Feb. 22.—*(See Minutes, p.* 284.)

[BANK RESTRICTION.]—Lord PELHAM moved the order of the day for the second reading of the bill "To continue for a further "time, to be limited, the restriction on the "cash payments of the Bank." In rising to make that motion, it was not, he said, his intention to detain their Lordships' attention for any length of time. The reasons, which, in his mind, justified the renewal of the measure, he had stated on a former occasion, and to what he had then urged but little now occurred to him to adduce in addition. He proceeded to take a cursory retrospect of the operation of the restriction since it was first imposed in 1797, down to the present time, and from that retrospect he thought himself warranted in asserting that no injurious consequences had arisen from it. Of the stability and solvency of the Bank, as no doubt was any where entertained, it was superfluous for him to bring forward any proof. Other reasons called for the continuance of the restriction, more particularly reasons of prudence and expediency. On a former day a Noble Lord (Moira) had asserted that the measure now under their Lordships' consideration must be either a measure of Government, brought forward by Ministers from motives which they imagined justified them in proposing it; or it was a measure suggested to them by the Bank, and proposed at the suggestion and for the convenience of the Directors. Nay, it was not very obscurely hinted by the Noble Lord, that the proposition might have been the result of some mutual arrangement and accommodation between Government and the Bank. To these observations he had only to repeat the same answer which he gave to the Noble Lord on the occasion already alluded to, viz. that the idea of renewing the restriction at the present moment originated solely with Government. Government had no communication, directly or indirectly, with the Bank, as a bank, upon the matter: upon the propriety of the measure the Directors of the Bank might have been consulted merely as individuals conversant with commercial affairs, and likely to be best acquainted with what might injure or promote the commercial prosperity of the country. It was indeed the general opinion of men best enabled to form correct notions on such topics, that the restriction on the Bank had proved highly beneficial to commerce, and to a wider extension of every sort of commercial convenience and facility. These, in concurrence with many other motives, have induced Ministers now to propose it anew. They see the course of exchange, which the very large remittances in specie for the purchase of corn in times of scarcity, for subsidies to foreign powers, and for the maintenance of our fleets and armies in distant stations, had occasioned to be so much against this country, now gradually turn in its favour; they see our trade and commerce gradually increasing and swelling into an extent beyond any former example; they have consequently just reason to expect that in a short time there will be such a reflux of bullion into the country as to make up for the enormous drain of specie which the imperious nature of the circumstances just enumerated had unavoidably drawn out of it. Did not, therefore, cautious prudence, did not sound policy call for a temporary continuance of a measure from which no mischief had accrued; but from which, on the contrary, much benefit had resulted? There were other statements made by the Noble Lord, to which also he might be expected to advert, more particularly of some inaccuracies which the Noble Lord imagined he had discovered in a late statement of the financial situation of the country made in another place. As he did not conceive these observations to be immediately connected with the question before the House, and as moreover it might not be in his power to rectify these inaccuracies, if indeed any such existed, he should abstain altogether from that discussion, trusting that their Lordships would feel with him the expediency of continuing the restriction for the reasons he had now and before alleged, and of the sufficiency of which he hoped their Lordships were fully convinced.

Lord KING declared himself of a very opposite opinion. He could by no means agree that any thing like adequate and satisfactory reasons had been adduced for further continuing the restriction on the Bank, under the present circumstances of the country. It was a measure which he could not but look upon as a very extraordinary one—a measure that encroached on private property, that violated public faith, and that put the whole monied property of the nation at the mercy of the Bank Directors. It was an infringement of the solemn and sacred compact which the Bank had entered into with the public when Government granted them a charter; and could their Lordships precipitately assent to such a measure without such reasons having been adduced for its absolute necessity as ought to amount almost to demonstration, and enforce the strongest conviction in their Lordships' minds? But where were the proofs of that necessity? Did the country now labour under that extraordinary pressure, arising from a variety of difficulties and dangers which were advanced in support of the first adoption of the restriction? On the contrary, was it not confessed to be in a state of the highest commercial prosperity? Where then could be the urgent necessity of its renewal in such prosperous times? what would be the effect of it, but the encouraging of an enormous issue of paper, which raised the price of every article, and must continue to keep the state of exchange unfavourable to

us? To prove that such must be the effect resulting from such a measure, the Noble Lord entered into a variety of comparative statements of the course of exchange at different periods between Hamburgh and London, and between Lisbon and London. These statements he principally took from a paper called the Price Current, which was published twice a week, and which was generally looked upon in the city as very accurate. According to these statements it appeared, that from the time the restriction was first imposed, the course of exchange began to turn against this country in various proportions to the quantity of paper in circulation. Previous to the laying on the restriction, the Bank seldom issued notes to more than the amount of ten, eleven, or twelve millions; but since that period, they issued to the amount of fifteen and sixteen millions. Hence the rise in the price of bullion; for it was justly remarked, that in proportion as paper was plenty, and therefore cheap, gold would be scarce, and consequently dear. The average amount of our circulating medium was about ten millions: that had been found fully sufficient to answer all the purposes of the country. When, therefore, an unnecessary addition was made to it of one, two, or three millions, there was a depreciation in the value of paper in the same proportion. But it was not merely on account of the inconveniencies arising from the measure that he objected to it: he objected to its principle, and to its being drawn into a precedent, which, he feared, would be the case whenever it might suit the convenience of Ministers or the Bank; and thus Parliament might be called upon not only to confide implicitly in Ministers, but also to place the same confidence in the Directors of the Bank. In this point of view he wished their Lordships to consider the measure; for, when thus considered, it appeared to him to be highly objectionable.

Lord SUFFOLK said he would trouble their Lordships with but one observation, and that was, respecting the encouragements which he expected the Noble Secretary of State would have held out for the improvement of agriculture. Unless a much larger tract of land was cultivated in that manner, we should be continually under the necessity of sending our specie out of the country for the purchase of corn. The small tracts of land that were yet enclosed, bore no proportion to what remained uncultivated; and, unless encouragement was held out for further enclosures, as our population daily increased, so would our want of a supply of grain: and as France would now be the nearest and the cheapest market, it would naturally be resorted to in preference to any other. What immense sums of our money must, therefore, find their way into France! the consequences of which he should leave to their Lordships' consideration.

The Earl of MOIRA was at a loss to see what he had to offer in addition to the statements he had made on a former occasion, which were confirmed by the papers now on their Lordships' table, but which had been scarcely once adverted to by the Noble Secretary of State. He perfectly concurred with the Noble Lord, who spoke last but one, that, when the Bank issued paper to an extraordinary amount, their notes must virtually bear a discount, or suffer a depreciation, and the price of bullion must also rise in proportion. Gold was not sold for gold, but for paper; and its price would always be in proportion to the greater scarcity or plenty of paper, or to that against which it was exchanged. To the miscalculation in the statement of the Consolidated Fund, the Noble Lord again adverted; and persisted in his opinion, that there was evidently an error in it, though it might be wholly unintentional. Indeed, he was very little inclined to disapprove of any attempt to animate the hopes and uphold the spirits of the country, especially when it could be done on safe and certain grounds. He therefore felt backward to blame any overcharged colouring in the late statement of our financial prosperity; but he felt anxious at the same time to remind their Lordships, that when the delusion came to be dispelled, much more pernicious effects ensued in the public mind than when no expectation had been raised at all. He also wished to direct their Lordships' attention to the sacred nature of the compact, in which the Bank was bound towards all those who had intrusted their money to their integrity—a compact which carried with it as severe a responsibility, and as high a morality, as could be involved in any transaction between man and man. Was a compact so sacred lightly to be trifled with? When on a former occasion he hinted the possibility of a secret collusion between the Bank and Government, or some expectations of a mutual arrangement and accommodation, he was somewhat misunderstood by the Noble Secretary of State, who reminded him that there was a clause in the bill, prohibiting the Bank from making any pecuniary advance to Government beyond the amount of six hundred thousand pounds. He could assure the Noble Secretary that this was not the kind of accommodation which he had in his eye. The accommodation he had in view was, the facility which the Bank might afford Government for the issue of Exchequer bills, and which in reality have been issued to a most extraordinary amount. The Bank might be screened on one side by the continuance of the restriction, and be tempted on the other by the superior advantage of buying up Government paper of that description. Indeed, when this motive for

the renewal of the restriction occurred to his mind, he discovered a quality in the transaction which rendered it altogether uncongenial to his mode of thinking, and he was sorry that Ministers had advanced no sort of plausible argument to do away that unfavourable impression.

The Earl of WESTMORELAND contended, that the present question had nothing to do with the stability of the Bank, or the expediency of the original restriction. These points were long since satisfactorily settled; and he had only to say, that the sole result of the investigation which had in the first instance taken place was, if possible, to place the credit of the Bank in a still more unexceptionable point of view than it had previously been contemplated. The only question now was, with regard to the expediency of removing, at the present moment, a restriction, the beneficial effects of which have been already fully experienced. At the time when the restriction originally took place, the expediency of the measure did not originate from any idea of the inadequacy of the Bank to answer every just demand, but was the result of an extraordinary and unaccountable alarm, which gave rise to an unusual demand. It never was the intention of the establishment of the Bank that there never should be an issue of paper greater than, at a moment's notice, could be covered by an issue of cash. This, indeed, would be completely contrary to the very nature of such an establishment. It was only necessary that the funds of the Bank should bear a full proportion to the demands for which they might ultimately become responsible. That the resources of the Bank were completely adequate to every demand was questioned by no one, and therefore the question of continuing the restriction was simply one of expediency. On the principle of expediency, the restriction began in a moment when an extraordinary alarm was excited; and it was proper that when the Bank resumed its cash payments, no extraordinary demand should be created by precipitating the measure. Delay could be productive of no disadvantage, while a hasty renewal of the restriction might involve the Bank in very serious inconveniencies. His Lordship illustrated these topics with considerable force, and placed the argument arising from the state of exchange with foreign countries as applicable to this question, in a very prominent point of view.

Lord AUCKLAND took occasion to advert to an allusion made by a Noble Lord who spoke second in the debate (Lord King), who had asserted that the proceedings of the Bank of Ireland were not sufficiently characterized by prudence. Having taken a very active part in the establishment of that Bank, he thought it his duty to animadvert on this expression, and to state, that as it was a subject of general notoriety, that the proceedings of this establishment were marked by the most perfect regularity and propriety, Noble Lords were not justifiable in throwing out these loose assertions, without being prepared to submit a distinct case to their Lordships' consideration. After touching upon this point, his Lordship proceeded to argue on the question immediately before the House. He alluded particularly to what he had said on a former night on the subject of the course of exchange. He had then asserted, and he now repeated his observation, that it was not on the state of exchange that he rested his support of the continuance of the restriction. A consideration of much greater importance determined his judgment; this consideration was derived from a view of the state of the country in its relations with foreign powers. He would offer no decided opinion on the probable period to which the continuance of peace might extend. Ministers, he doubted not, would omit nothing in their power to preserve a good understanding with foreign states, but it was impossible to determine how far their exertions might be successful. Before the expediency of discontinuing the restriction on the payments of the Bank could be established, it was necessary to wait to see how far there was a prospect of the durability of peace. Already the course of exchange was assuming a more favourable appearance, and the continuance of peace could not fail to increase this advantageous operation. In the view of a permanent peace, our financial prospects, his Lordship contended, were of the most flattering kind, and it was agreeable to every principle of policy and expediency to wait for the operation of this financial prosperity before the restriction was precipitately withdrawn. His Lordship particularly called the attention of the House to the very large drain of cash from this country for the last ten years. He produced calculations to shew, that, during the few years previous to the original restriction in 1797, this drain had not amounted to less than 48 millions; and, including the drain which, from a variety of circumstances, had taken place during the last six years, the whole could not be estimated at less than 120 millions. Under such circumstances, policy required that the restriction should not be withdrawn till the operation of our financial prosperity began to be more fully experienced in the influence which it would necessarily produce in giving an advantageous turn to the course of the exchange, and the influx of bullion which it would create. In illustration of this position, his Lordship laid before the House a calculation of the amount of the annual revenue, contrasted with the expenditure. The former he calculated at 34 millions, and the permanent charges at 25 millions, leaving for the ordinary expenses of the year a surplus

of nine millions. He intimated that he should take an opportunity of bringing this part of the subject under consideration on a future day, when he hoped to be able to convince their Lordships that this prospect, so far from being exaggerated, fell short of what there was reason to anticipate. Having insisted a great deal at large on these topics, his Lordship concluded by voting for the second reading of the bill.

Lord GRENVILLE said a few words, with particular reference to what had been advanced respecting the financial state of the country. He declined at present entering into any discussion on the subject, but professed his readiness to canvass it at length, when it was regularly brought under discussion. Whatever the period of peace might be, and in his opinion it might be of very short duration, he trusted that the revenue of the country would be raised to a degree fully adequate to meet the expenditure; and that no speculations would be formed on views of the surplus of the revenue above the expenditure, which might ultimately be found erroneous and delusive. His Lordship placed this part of the subject in a very striking light; but concluded with again declining any minute discussion, till the subject came regularly before the House. The state of the finances of the country was one of the deepest interest; and he felt no ordinary degree of anxiety, that a subject so intimately connected with the salvation of the country, should be fully and fairly understood.

Lord SHEFFIELD said, he had not heard any argument which, in his opinion, could justify the risk of abandoning the Bank restriction at a crisis such as the present; nor had he heard any well-founded suggestion that mischief or inconvenience could arise from the continuance of it at this time. He conceived that neither the expediency of the original measure, nor the state of the finances of the country, were the question before their Lordships. The difficulty and delicacy of removing the restriction were foreseen at the time of imposing it; and as the difficulty, in consequence of the present very precarious state of Europe, is still greater than was expected, it cannot be thought prudent to hazard the relinquishment of the restriction just now, without some obvious necessity, or perhaps, till there is an influx of specie or bullion into this country, an event not improbable, which might enable us to remove the restriction with safety. Commercial intercourse in general is greatly deranged: we can draw no conclusions from any experience hitherto had; for there is no analogy between the present state of things, and that of former times. We all regret that the necessity of restriction ever arose; but even admitting some discredit may have taken place in consequence of the restriction, it will not be increased by the continuance of it until a more favourable period; but, on the contrary, the disgrace of the whole measure may be avoided; at least, we have the satisfaction of knowing that no real mischief or inconvenience has arisen from it. Notwithstanding all that had been asserted, he insisted that paper money had not been depreciated, nor has coin borne a premium in this kingdom, which he conceived to be the true criterion by which we should judge of the matter; for, when paper money is not depreciated, we know there is not too great an emission of that kind of currency; and he was disposed to consider a judicious increased issue of it as very advantageous, inasmuch as it enabled us better to carry on the great commercial transactions of this country; and if the event has helped to prove that immense quantities of gold coin in circulation are not absolutely necessary, this measure which we now regret, may in some degree become serviceable, by preventing hereafter, unfounded apprehension and alarm on such a subject. Scotland has improved in every shape, with scarce any coin, and has been greatly benefited by a plentiful issue of paper money; and we find that great quantities of coin or bullion give little public credit to France or Spain; and consequently it may be inferred that coin has little to do with public credit: and, in truth, the necessity of having immense quantities of gold and silver in an unproductive state, in those two countries, arose from the want of public credit. Holland, when she flourished most, depended almost entirely on her bank; and countries truly commercial, such as England and Holland, could not have carried on their extensive trade by any other means. A very great proportion of the wealth of England would be in an unproductive state if it were necessary to have a coin currency for all its commercial transactions; and without a plentiful issue of paper currency, we could carry on but a very small part of our present trade. He said, he scarcely comprehended the suggestion, that the unfavourable exchange against this country took place in consequence of the Bank restriction. It did not take place immediately on the adoption of that measure: even since that time, during a certain period, there has been a great influx of gold, and the exchange has latterly become much more favourable during the existence of the restriction. He observed, it was perfectly easy to account for the unfavourable exchange, by the great remittances to the continent; and, more especially, in return for the immense importation of grain, the value of which, if estimated according to the price at the British market, would amount to upwards of twenty-four millions in little more than two years; or, on an average of ten years, we have imported, of foreign corn, which we might have raised at home, to the value of at least four

millions yearly, not far short of the ordinary real balance of trade in our favour. As the importation of foreign corn diminished, the course of exchange became proportionably more favourable to us. It therefore seemed reasonable to suppose that the immense payments for foreign corn consumed more than the balance of trade in our favour; and it may be observed, that the payments for a very extraordinary importation of corn, in consequence of the scarcity of 1796, drained this country so much, as to become a principal cause of the Restriction Act in the spring of 1797: so that instead of imputing the unfavourable exchange to the Restriction Act, we must place it to its proper account, our own neglect and bad policy. We suffer quibbling objections to prevent a general enclosure and cultivation of the waste lands, and we neglect to remove the great discouragements to tillage. We do not give ourselves the trouble to examine our corn laws, which have been altered much for the worse within the last thirty years. He concluded by saying he wished it were in his power to do justice to this important subject. His object should be to remove prejudices arising from unfounded theories, and to relieve the public mind from apprehensions equally unfounded; and on this occasion, to shew that no inconvenience or disadvantage could possibly arise from the continuance of the restriction on Bank payments for the present; but that an untimely and abrupt discontinuance of it would be an unnecessary experiment, and, very possibly, highly prejudicial to the public.

The question was then put, and the bill read a second time.

HOUSE OF COMMONS.

Wednesday, Feb. 23.—(See Minutes, p. 339.)

[ESTABLISHMENT OF HIS ROYAL HIGHNESS THE PRINCE OF WALES.]—The CHANCELLOR of the EXCHEQUER moved the order of the day for resolving into a committee of the whole House, to take into consideration his Majesty's most gracious message, recommending the present situation of his R. H. the Prince of Wales to the attention of the House. On the motion being put for the Speaker's leaving the chair,

Colonel STANLEY rose to put one or two questions to Ministers, on the subject which was now to come under consideration. He expressed a desire to be informed, whether the incumbrances which at present affected the establishment of his R. H. the Prince of Wales, were to be removed by any new grant of the House; whether they were to be settled by a compromise; or whether, if any money was to be advanced, provision was to be made for its repayment? If his R. H. was to obtain assistance through the medium of a compromise, he could not help observing, that there was strong reason to believe that the greatest law authorities of the kingdom were divided respecting the legal validity of the claims of his R. H.; and there was no evidence before the House that any legal decision had taken place. If, on the other hand, it was understood that any incumbrances on the establishment of his R. H. were to be paid off by the three estates, he wished an express communication on this very subject, which had been made to the House on the 21st of May 1787, to be now read, and he begged the House particularly to attend to the language which was there held respecting the accumulation of future debts. (The message was read accordingly, and contained the passage the Hon. Member alluded to. It held out an assurance that means would be taken to prevent the accumulation of new debts.) After the message was read, the Hon. Member observed, that, notwithstanding all the deference he had for his R. H. and certainly no one had more, he had a public duty to perform, which was of the highest importance. He appeared there to watch over the interests of a very large county, which would contribute a great proportion of any additional burdens which might be imposed on the public. He therefore wished some explanation before he gave his vote for going into the committee.

The CHANCELLOR of the EXCHEQUER in reply observed, that the Hon. Gent. had put a question, an answer to which he no doubt expected from one of his Majesty's Ministers. The question was, whether it was not in consequence of a compromise, founded on the opinion given by the law officers of the Crown, on the subject of the claims of his R. H. the Prince of Wales, that the present situation of his R. H. was now recommended to the attention of the House? In answer to this question, he had not the least scruple in declaring, that any compromise of the nature alluded to, had no share whatever in now inducing him to submit a proposition to the House, not for paying off the debts of his R. H., for an ample provision was already made for this purpose, but with the sole view of enabling him to support an establishment distinguished by that dignity and splendour, the attainment and preservation of which could not be contemplated but with the deepest interest. He begged the Hon. Member to advert to what was the nature and what were the terms of his Majesty's most gracious message. It stated explicitly that his Majesty, having adverted to the period which had elapsed since the adoption of those measures which, by the wisdom of Parliament, were deemed expedient for discharging the incumbrances of his R. H. the Prince of Wales, and to the progress which had been made in

carrying them into effect, recommends the situation of his R. H. to their attention at the present moment. In the first part of this message, his Majesty did not allude in the most remote degree to any proceedings for liquidation of the debts. In the conclusion of the address there was as little allusion to the same subject, as his Majesty merely expresses his regret at suggesting any measure which might add to the burdens of his people; but thinks this a proper moment to recommend an establishment calculated to ensure the comfort and to uphold the dignity of so distinguished a branch of his royal house. This was the simple and precise object of the message. Those members of the House, therefore, who were prepared to say that no proposition relative to the present situation of his R. H., which in its effects will occasion an increase of the public burdens, might now contend that the House should not entertain the motion for going into the committee. Those on the other haud, who thought that the motion was one which ought to be agreed to, and he trusted a great majority of the House were of that opinion, would feel it their duty to vote for the Speaker's leaving the chair; and in the committee he flattered himself that he should submit a proposition of that nature which would not be liable to any serious objection, and would have the effect of giving validity to his Majesty's most gracious message. In the present stage of the business it was impossible to give any pledge relative to the nature of the proposition to be submitted, and therefore he was at a loss to account for the Hon. Member's opposition to the previous question. After the proposition was known, if it appeared to the Hon. Member one which ought not to be acceded to, he had then a very simple method before him, which was, by moving, that the Chairman do quit the chair. He trusted, therefore, that the House would not suppose that he meant any disrespect to them or the Hon. Member when he thus pointed out what was obvious by the regular mode of proceeding.

The motion for the Speaker's leaving the chair was then put and agreed to. The House accordingly resolved into a committee.

The CHANCELLOR of the EXCHEQUER then rose, and addressed the committee to the following purport:—The propositon which I shall have the honour of submitting to the committee, I still flatter myself, is of that nature as to meet with acquiescence and approbation. It is impossible to doubt that there exists in the mind of every one present, a disposition to promote, as far as is consistent with their duty to their constituents, the comfort and the dignity of his R. H. the Prince of Wales. It is impossible to doubt that every individual wishes to see a suitable degree of splendour in the establichment of the Heir Apparent to the throne. Those who in 1795 were concerned in proposing or supporting the arrangements which were then formed, were animated by the same sentiments of attachment and regard, and I myself was one of those who heartily concurred in the establishment made for his R. H.: but those who were principally concerned in that arrangement, formed it with reluctance and with regret. But in forming it they were guided by considerations paramount to all feelings of personal regard for his R. H., and a desire to see him in a situation which would have enabled him to support an establishment equal to his illustrious rank. Sure I am, Sir, that there is not an individual who would not now rejoice, that the measures which Parliament, but from considerations of justice and a sense of duty to creditors, would then have directed to be employed in enabling his R. H. to maintain the splendour and dignity which he ought to hold in the community, might now be directed to their original purpose. Before I submit the proposition with which I shall conclude, it will be material to refer to the propositions of 1795, respecting his R. H.'s future establishment; and this reference I shall endeavour to make, occupying as little of your time as possible. It will readily be recollected, that in that year, a message was delivered from his Majesty, recommending an extension of his R. H.'s establishment, adverting to incumbrances, which at that time existed, and stating the necessity of making some new arrangement, without, however, disclosing any particular system. My Rt. Hon. Friend (Mr. Pitt), who then presided over his Majesty's councils, on that occasion brought forward a proposition, embracing the future establishment of his R. H. and comprehending the arrangements which his marriage had rendered necessary. In the year 1740, he stated, that the settled establishment of the Heir Apparent was one hundred thousand pounds, exclusive of the revenues of the dutchy of Cornwall. Considering the very material changes which had taken place in every article of expenditure, an establishment of a hundred and twenty-five thousand pounds a year did not appear to him to be at all too great. This addition, indeed, many persons then thought excessive. One or two individuals indeed spoke of a smaller sum, and did not appear satisfied with the establishment enjoyed by the Heirs Apparent from the year 1740 up to that period. The proposition was, however, carried by a very large majority. After this previous point was settled, the subsequent part of the message came under consideration; and on this a far greater diversity of opinion prevailed. Some Gentlemen thought that no proposition for the payment of his R. H.'s debts should be entertained. Others contended, that other sources for effecting the payment ought to be resorted to; but the great object which my Rt. Hon. Friend had in view, was, to support the dignity, but at all events to maintain the credit

of the Heir Apparent. He therefore proposed, that sixty thousand pounds, together with the revenues of the dutchy of Cornwall, should be appropriated as a fund for the extinction of the debt, with the interest which had accumulated or might accumulate, in the progress of the plan of extinction. The effect of this proposition was, that in twelve years the debt should be extinguished. No direct proposition was made; but a general wish was expressed, that, if possible, arrangements might be made to effect the payment in a shorter period. While the discussion was still undecided, while there continued the greatest contest of conflicting opinions, the House were released from the embarrassments in which they were placed, by a gracious communication from his R. H. expressive of his readiness to accede to any arrangement which the House might form for the better regulation of his establishment, and expressive of his anxious desire to have ample provision for discharging his incumbrances. (The message was here read on the motion of the Rt. Hon. Gent.) On receiving this communication, which so materially relieved the difficulties under which they laboured, the House immediately proceeded to give instructions to the committee appointed to prepare the bills, for making suitable provision to carry into effect the plan for the liquidation of his R. H.'s debts. It was the almost general opinion of the House, that the establishment of the P. of W. was by much too scanty; but the great object in view in the first instance, was the satisfaction of justice. It was to accomplish this object solely, that the resumption of the splendour and dignity suitable to his R. H.'s distinguished station, was for a time suspended; and that commissioners were appointed to the management of his affairs. Now, I shall ask those who have witnessed the effects of the operation of this bill, who have duly considered the situation to which its provisions have for eight years subjected his R. H. whether they can possibly have made up their minds to his continuing for four years longer subject to a degree of obscurity and retirement so little suitable to the feelings and the habits of the heir of a great empire? It will be necessary that I should shortly state the amount of the debt of his R. H. at the time the commissioners were appointed, that I should specify the sums which they have received, and that I should inform the House of the progress they have made in the extinction of the debt. At the time of the appointment of the commissioners, the debt was six hundred and twenty thousand pounds, exclusive of the interest, which had then accumulated, and the interest which might afterwards accumulate in the progress of the reduction. From the 10th of October 1794, up to the 5th of January in the present year, the sum received from the Exchequer has been four hundred and ninety-five thousand pounds, and in the same period ninety-seven thousand five hundred for the revenues of the dutchy of Cornwall, making in all five hundred and ninety-two thousand pounds. When I state this, I beg the committee always to bear in mind that this is a sum not received by his R. H. from the public, but arising out of revenues managed by the wisdom of the commissioners. Now, on the other hand, let me direct the attention of the committee to the progress which has been made in the extinction of the debt. Of sums actually paid, and of debentures which have been issued, and are now in the hands of the creditors, the amount is about seven hundred and ninety-nine thousand six hundred and fifty pounds. (The Rt. Hon. Member made some minute calculations, through which we do not consider it necessary to follow him.) The sums now to be received out of the Exchequer, and the revenues of the dutchy of Cornwall, which will be left free on the 5th of April next, amount to two hundred and thirteen thousand two hundred and fifty pounds. Now this being the general statement of the situation of his R. H.'s affairs, every member in the committee will be able to form an idea of the grounds of his Majesty's most gracious message. His Majesty being apprized of the progress actually made in the payment of the debt of his R. H. and being satisfied that provision has been made for its ultimate extinction within the period prescribed, has judged his R. H.'s situation no unimportant subject of your attention: and certain I am, that the more the subject is considered, the more will the expediency of giving it the most serious attention be apparent. Let Gentlemen recollect, that no less than eight years have been passed by his R. H. in a state of comparative humiliation, or at least in a state where he was necessarily secluded from many of the scenes and pursuits in which he felt the most powerful interest to engage. Let them reflect how great a sacrifice he has endured, even without an attempt to murmur at the arrangements which imperious necessity required. In 1795 the arrangements formed were founded in wisdom, and their beneficial effects have been fully experienced. They arose, however, in a very considerable degree, from the circumstances in which the country was then placed. A vote in favour of those arrangements did not bind those who gave it, that no alteration should be sanctioned till the whole twelve years were expired. No Member gave a pledge at that period for the vote he might give on the proposition which I am about to submit to the committee. The purport of this proposition is, that from the 5th of January 1803, the establishment of his R. H. shall stand on the same footing that it stood in 1795; or, in other words, that it should be a hundred and twenty-five thousand pounds a year, exclusive of the revenues of the dutchy of Cornwall. I do not wish for any change

in the wise arrangements for the liquidation of the debts which were then formed. I wish for all the arrangements to suffer no interruption. I am desirous of the continuance of the same checks on any improper appropriation of the sums received for this purpose. The nature of my proposition is simply to move—That it is the opinion of this committee, that his Majesty be empowered to issue, annually, to his R. H. the Prince of Wales, a certain sum or certain sums not exceeding sixty thousand pounds, computing from the 5th day of Jan. 1803, to the 8th day of July 1806. Now, when it is considered that upwards of eighty years ago a hundred thousand pounds was assigned for the establishment of the Heir Apparent; when it is known that sixty years ago the Heir Apparent by the munificence and wisdom of Parliament—for, I say that in this they discovered at once their munificence and their wisdom—enjoyed a clear revenue of a hundred thousand pounds, independent of the revenues of Cornwall, and with no family establishment to support; when it is recollected that in 1795, a hundred and thirty-eight thousand pounds was not reckoned more than adequate to the suitable support of the splendour and dignity of the present Heir Apparent; when, I say, all the circumstances are taken into consideration, let me ask of the candour of every one who now hears me, whether he does not consider the proposition which I have submitted to the committee, moderate to a degree; that if it suggested any objection, would only give rise to an objection that it was not adequate to the end in view? It will not, I believe, be denied by any one, that within the last eight years there has been an extraordinary change in the value of money, and the means of decent subsistence. It is needless for me to enlarge on the importance of preserving in the situation of individuals holding a prominent place in the community, that degree of dignity which commands respect without being inconsistent with the principles of well-regulated economy. In the establishment of the Royal Family, this system ought to be particularly observed, and, perhaps at the present moment, taking an extensive view of the subject, it will be found that this establishment is, in proportion to their necessary expenditure, arithmetically small. When I contend for an ample establishment for the Heir Apparent, I do it on the general principles I have now avowed. The idea of compromise alluded to by an Hon. Gent. who objected to our going into the committee, I cannot too explicitly disclaim. I wish to say explicitly and unreservedly, that, if I had never heard a single word of petition of right, or of the opinion that was likely to be given on it from whatever quarter that opinion may come, I would have felt it my duty to support a proposition of the nature now submitted to the committee. It is on public grounds that I have brought it forward, and on the same ground it would have received my support if it had fallen to the lot of any other to have introduced it. While I speak of supporting the splendour of his R. H.'s establishment, I wish the idea I attach to this to be understood in a manner considerably different from those which are vulgarly entertained. The splendour of which I speak is not so much the exhibition of external show, as the possession of the means of commanding influence and ensuring respect. I wish him to have the means of acting as a munificent patron of improvement, a protector of literary merit, an encourager of those plans of national amelioration, in which the present, above all former ages, is productive. I wish him to be in a situation to receive those attentions which all are eager to pay him, in a style agreeable to the loftiness of his sentiments and the refinement of his feelings. I am anxious to see him forming with the nobility and gentry of the kingdom that connexion which ought to exist between the Heir Apparent and the most distinguished of those who will hereafter form the most illustrious branch of his subjects. On these grounds I conclude with submitting to the committee the proposition which I have thought it my duty at some length to explain.

Before the motion was put, some conversation took place across the table betwixt Mr. Fox and the Rt. Hon. Gent. respecting the revenues of Cornwall, as forming a branch of revenue beyond the sixty thousand pounds to be now voted. It was stated distinctly that they were to form a part of the revenue of his R. H. in addition to this sum.

Mr. HARRISON wished to know what was the amount of the debts of his R. H. not hitherto discharged?

The Rt. Hon. Gent. in reply, stated it to be somewhat more than two hundred and twenty-five thousand pounds.

The SOLICITOR GENERAL rose to say a few words on a subject of such importance and interest to every one animated with the principles of loyalty and love to his country. The Rt. Hon. Gent. said, that he had not now the honour to be in the service of his R. H. the Prince of Wales, yet he enjoyed an honour which he trusted he should never forfeit, and that was the honour of still retaining his R. H.'s confidence. It became his duty, therefore, on the present occasion, to explain to the committee the sentiments of his R. H. both with respect to the most gracious message of his Majesty, and the motion just now founded on it by his Rt. Hon. Friend. He had it therefore in command from his R. H. to declare his earnest desire to testify in the strongest terms the warmth of his gratitude to the Sovereign for the interest which his Majesty had at all times taken in his welfare—an

interest most powerfully marked in the message which was now under the consideration of the committee. As to the motion, he had been instructed by his R. H. to say, that he entertained a sanguine hope, not unmixed, however, with a considerable portion of anxiety, that it would meet with the approbation of the House. He himself had, on more than one occasion, been empowered to declare to the House the respect, the duty, and the gratitude of his R. H. for the kindness of his Royal parent, and his readiness to renounce every claim, however well founded he might reckon it, rather than engage in any contest which might be construed into a violation of filial duty and affection. The House, therefore, would be able to form some idea how grateful their approbation of the motion would be to his feelings, as it would enable him to forward the course of fair justice and legal right, of which not the smallest reasonable doubt could be entertained. Though, however, there was no doubt of the legal claims of his R. H. still the agitation of the question might have led to the most unpleasant consequences, and involved in it effects earnestly to be deprecated. These consequences the message, and the motion founded on it, happily counteracted. The harmony which had hitherto subsisted betwixt the Sovereign and his eldest son had been preserved uninterrupted; and he sincerely prayed that the same harmony might prevail to the last period of life. As to the grounds on which the proposition now before the committee was brought forward, he thought it but fair, in justice to his Rt. Hon. Friend, to declare that they were wholly of a public nature. Betwixt his R. H. and the Rt. Hon. Gent. there was no compromise of any description. When this proposition, as unexpected as it was unsolicited, was communicated to his R. H. no terms were imposed to prepare the way for its reception. When he stated, that the adoption of it by the House would not be succeeded by any further prosecution of his R. H.'s claims, he mentioned it as a spontaneous act on the part of his R. H. He concluded with a few very pointed observations on the decided opinion he had formed of the justice of the Prince's claims, the almost unavoidable circumstances which produced his embarrassments, and the strong claims which he now had to be delivered from that obscurity he retired to, and to which he for so many years had so honourably conformed.

Sir RALPH MILBANKE, in a short speech, which we could but very imperfectly collect, expressed his cordial approbation of the motion. The establishment now proposed to be assigned to his R, H. appeared to the Hon. Bart. rather liable to objection on the score of its inadequacy, than on the ground of its being more ample than the splendour and dignity of the Heir Apparent required.

Mr. HARRISON was a decided friend to any proposition which had for its object to free his R. H. from that state of comparative humiliation to which he had been so long a voluntary victim. He objected, however, to the mode in which the present proposition was produced. He had taken occasion to ask a question as to the amount of the unredeemed debts of his R. H.; and his object in doing so was to ascertain how far the just claims of his R. H. on the dutchy of Cornwall were adequate to their extinction. He did not wish that an idea should go abroad that his R. H. was coming forward with a new claim on the public, when the fact was, that the public was at this moment his debtor to a very considerable amount. His R. H. was not fairly dealt by, when what was a matter of right was construed into a grant originating in favour. From regard and good will to his R. H. he thought it no more than strict justice that this should be fully understood by the public; and that he should not be exposed to that prejudice which was inseparable from a supposed application for assistance, the result of which would be to increase the public burdens. The Hon. Member threw out some hints about the mode of procedure which he thought ought to be adopted, but made no specific motion. He was for the motion generally, but contended that the sixty thousand pounds to be assigned to his R. H. should be described as a part of the arrears due to him as Duke of Cornwall, and not a sum paid out of the consolidated fund of the country.

Lord CASTLEREAGH, in a short speech, supported the motion, going over the same grounds as those on which former speakers had insisted.

Mr. HARRISON spoke in explanation.

Mr. SHERIDAN admitted, that the proposition was equally satisfactory to the dignity of his R. H. the Prince of Wales, as it was consistent with the views of national economy. In the discussion of the question there were, however, two points, which did not seem to him to have received the consideration which they merited. He did not think that it had been admitted in a manner sufficiently explicit, that the Prince of Wales, so far from being indebted in this instance to the public, had made a generous, open, and magnanimous renunciation of a just claim. He sincerely loved the ease and the comfort of his R. H. but he loved his character and his honour more. He was a friend to the proposition as it really stood, not as an act of favour, but a matter of bare justice; but he was not at all ready to say, that if his R. H. had come a third time to Parliament with an application to discharge his incumbrances, he should easily have given his countenance to such an application. In admitting

such an application, he would have shewn none of the promptness of compliance which he now thought it his duty to display. But what was now the real situation in which his R. H. was placed? On a former session he had come with an application, not for new aids to discharge new incumbrances, but with a statement that certain arrears were due to him by the public, and that he was anxious that these arrears should be applied to the liquidation of debts of considerable standing. The House had entered on a mass of legal and general arguments, and the result of those arguments had been, that the subject could not be discussed by Parliament till it was ascertained whether there was not another tribunal to which his R. H. might apply for redress. In the interval an application is made to another tribunal: it is discovered that the Lord Chancellor is not the fit person to present a petition of right to the Sovereign, but that it is the office of one of the Secretaries of State. The petition of right is accordingly presented, and is about to be put into the proper train of decision. At this crisis Ministers step in with this offer, on which his R. H. honourably and magnanimously consents to suspend procedure till the result of the offer is known in Parliament. The Rt. Hon. Gent. however, would not hear of a compromise, as the Prince was still at full liberty to prosecute his claims. For his part, he professed to acquiesce in the proposition, because it was not a third application to be relieved from embarrassments, but a fair and honourable compromise of claims on the public. Gentlemen on the other side seemed to startle at this expression; they appeared alarmed at the idea of compromise, but he could not but rejoice that such an arrangement had taken place. Much inconvenience must have resulted from the legal prosecution of his R. H.'s claims. If a decision had been given against him, it would have been contended that these claims had all along been urged, merely with a view of more easily prevailing on Parliament to grant assistance in relieving him from embarrassment. If, on the other hand, the judgment had been in his favour, nothing would have been heard but endless declamations on the injustice of so long withholding what he had a right to demand on every principle of justice. These were circumstances to be deprecated, and he was happy that by a compromise they had been avoided. Though he had no doubt of the justice of his R. H.'s claims—against which, indeed, he had never heard of any thing in the shape of argument—yet he could not assert that his right was clear and undisputed. Law was not a subject on which it was justifiable to speak sanguinely. The House had not forgotten, that for six years a petition of his R. H. had lain in the pocket of a former Chancellor, before he could form any opinion of the expediency of presenting it to the Sovereign; and if the cause had now come on for trial, it was impossible to say how long it might have remained in that glorious uncertainty of the law, which some persons might consider as its defect, but which those better acquainted with the subject knew constituted its greatest glory. On the second point to which he had adverted at the beginning of his speech, the Hon. Member made but a few observations. When the House were told, that in consequence of this addition to the present establishment of his R. H. it was expected that he should resume that splendour which he had been compelled to lay aside, it was proper that they should know how far this expectation was likely to be realized. Were Ministers prepared to say, that there were no arrears in the establishment of his R. H. which the Commissioners were not authorized to discharge? The Hon. Gent. particularly alluded to the ten per cent. discount, terms which some creditors had refused in payment of their bills. He expatiated on the anxiety of his R. H. to act towards all his creditors with the most perfect honour; and trusted that he would never be compelled to compound their demands, instead of giving them full and fair payment. After dwelling at some length on these points, he concluded by repeating his approbation of the proposition which had been submitted to the committee.

The CHANCELLOR of the EXCHEQUER spoke in explanation: he was in more than one instance misunderstood by the Hon. Gent. who spoke last. It was his wish to be understood, that his arrangement had in view the same object which was in the contemplation of his Rt. Hon. Friend (Mr. Pitt), when this subject was brought forward in 1795. At that time his Rt. Hon. Friend (Mr. Pitt) proposed a grant of 620,000*l.* as a sum fully sufficient to guard against any possible outstanding claim against his R. H. When the Commissioners were appointed to take cognizance of these claims, they were allowed in addition to the amount of 650,000*l.* to enable them to discharge every debt that could be claimed against his R. H. the fairness and validity of which could entitle them to be liquidated; and those debts have in consequence been fully satisfied. When it appeared that the aggregate of the debts exceeded the sum of 620,000*l.* the Commissioners inquired into their validity, and carefully distinguished what was fair from what was fraudulent. The result they submitted to Parliament. Upon the whole, indeed, it appeared that the debts which were regarded as fraudulent did not amount to any thing considerable: yet there remained an excess, the cause of which he was not very willing, or perhaps unable, to explain. The demand of the creditors might rise, and did rise in effect, on account of the uncertainty and remoteness of the period at which they were to be paid. But no reproach could therefore be imputed to the Commis-

sioners; they availed themselves of every circumstance of which they could fairly take advantage; they proposed in payment to the creditors debentures of 100*l.* with an interest of 3 per cent. or debentures of 90*l.* with an interest of 5 per cent. They had their option which to choose, and they preferred the debentures of 90*l.* bearing an interest of 5 per cent. The reason of this preference he conceived to be the expectation the creditors entertained of the speedy return of peace, upon which event they hoped the debentures would sell at a premium. The Hon. Gent. next observed, that even under the circumstances held out by the present proposition, it would be impossible for his R. H. to resume his household with that dignity and splendour which were suitable to his rank. This he was not prepared to deny; but whatever delay intervened before his R. H. resumed his household, might arise from causes which would give his R. H. fresh claims upon the House, and should not be considered as the effect of the resolution now proposed. On the contrary, that proposition would accelerate the period of his resuming his household by three years and a half, while at the same time it would essentially contribute to increase his ease and comfort. This the House and the public would no doubt learn with satisfaction. But the Hon. Gent. next insinuates, that the present measure is intended as a compromise for the right of the Prince to the revenues of the dutchy of Cornwall. He disclaimed all idea of such compromise—he felt anxious, indeed, to prevent any further proceeding on the question of a petition of right. There were many of his friends around him who were well acquainted with that anxiety, and who were also well aware, that even if that question had never been agitated, yet it was his intention to have recommended the proposition on public grounds. It is also supposed by the Hon. Gent. that a difference of opinion has taken place between him and his Learned Friend respecting the right of his R. H. to claim the full amount of his arrears: he did not conceive that his Learned Friend (Mr. Sutton) had ever asserted that his R. H. had any claim to the full amount. The assertion was, that when of age he had a right to call for an account: on this point there was no difference of opinion. But if the full right had been admitted on the petition, how and where could judgment be executed? Where was to be found the royal property on which that judgment could lay hold? The question then was, not between the Prince and his Majesty, but between the public and his R. H. It was therefore referred to the consideration of Parliament: for if the Prince was supposed to possess funds of his own, Parliament could not be expected to furnish the means of paying his debts. He hoped, therefore, that no one would look to any residue that might remain of the arrears of the dutchy. Indeed his R. H. himself, when the question respecting his Majesty's civil list was laid before the House, expressed his reluctance, through his Learned Friend (Mr. Sutton), to set up any such claim. The Hon. Gent. adverted to other claims against his R. H. which had not been attended to by the Commissioners. This he could venture to say, that there was no claim which, upon due examination, had been found to be valid, which had not been satisfied by the Commissioners. Indeed, no claim could be brought against his R. H. since the arrangement of 1795, for no debt could be incurred since that period, without a violation of the act.

Mr. SHERIDAN, in explanation, said, that he meant no reflection upon the Commissioners: all he contended was, that no reason had been adduced to shew why the mode in which the debts had been paid did not argue a compulsory deduction of their amount. The debentures had been at a discount of 15 and 20 per cent. and the honour and feeling of his R. H. must be wounded at seeing his creditors suffer so material a loss. Indeed, with such feelings it was impossible he should be at his ease until that loss was made good. Notwithstanding the anxiety expressed by all sides of the House to see his R. H. resume a suitable establishment as speedily as possible, yet he must necessarily give up another year before he could answer the demands that still stood against him. Was this the return which he had a right to expect after the magnanimous sacrifices he has made to the public? And was he to be prevented from returning to that situation of splendour in which the House and the public were anxious to see him placed, merely because some debts remained unpaid, which if known must do the greatest honour to the principles and feelings of his R. H.?

The CHANCELLOR of the EXCHEQUER further explained, and said, that he was ready to believe that it was highly honourable to his R. H. to delay resuming his household, until every claim which he conceived to stand against him had been fully satisfied. All he contended for was, that if this delay took place, it was on account of debts with which he was not acquainted; for he knew of no debt that had not been satisfied by the Commissioners. As to any loss that might have been incurred by a discount on the debentures, it was only that loss which attended a depreciation of the public funds. They may have sunk with the funds, but this was solely imputable to the management of those who held them.

Mr. Fox would trouble the committee but with a few observations on the present occasion. The part he took in the year 1795, when the establishment of his R. H. was under the consideration of the House, he re-

membered well, for nothing was more repugnant to his feelings than what he then assented to. But what was the question now? His R. H. had submitted to a severe retrenchment of his establishment for eight years (a severity of retrenchment, indeed, which was rarely exercised in private life); and now it was asked, whether it was fit to relieve him from that retrenchment for the four years to come? And how was that to be done? The claims of his R. H. to the arrears due from the dutchy of Cornwall, did not seem to be expressly admitted by the Rt. Hon. Gent. (Mr. Addington), yet that Rt. Hon. Gent. did seem to admit that his R. H. was entitled to call for an account of those arrears. If then the Prince had a claim to call for that account, and that it appeared to be an account of a large sum, surely Parliament should institute an inquiry how that sum had been appropriated, or why it should not be employed towards the liquidation of his R. H.'s debt? But the Rt. Hon. Gent. says, Of what avail would it be to institute such an inquiry? for even should the claims of his R. H. be substantiated, where was the royal property upon which to execute judgment? This again was a subject for parliamentary inquiry. Indeed, for his part, he never could reflect upon the subject, without feeling surprise and regret at the destitute and contemptible state in which the Royal Family were placed in this respect —*(A cry of Hear! hear!)*—and here the respectful manner in which his R. H. had conducted himself towards his Majesty should not be forgotten or pass unnoticed. But it seems that the measure proposed this day was not to be considered in the light of a compromise. The Rt. Hon. Gent. only says, that he is glad his R. H. consents to wave his claims, because the pursuing of them would place his R. H. not only in an awkward situation with respect to his Majesty, but also with regard to the public. How this should be it was not easy to discover. But in lieu of his claims, it seems his R. H. is to be placed on the same footing in which he stood previous to the arrangement of 1795. Some Gentlemen might think, indeed, that 125,000*l.* was a large income, even in such a situation as that of his R. H. He must beg leave to be of a contrary opinion. The House should not look to the different value of money at different times, when the revenue of the Crown was considered, and the increase which it might be proper to make in the civil list, and lose sight altogether of the same consideration when it applied to the affairs of his R. H. the Prince of Wales. Indeed, it seemed to be adverted to on all occasions, unless when it regarded him, to whose situation, however, it was most peculiarly applicable. He, for one, was of opinion that a fixed sum should be granted to the Prince and to his Majesty for the demands of the civil list; and that it should not be examined and reviewed every year, with a reference to the different value of money; or if this reference was made in the case of the one, so also was it fair to make the same reference in the case of the other. The proposition now was to restore the Prince to what he before enjoyed, viz. the sum of 125,000*l.*; but, after this resolution is agreed to, when is his R. H. to resume the style and magnificence which his rank requires him to maintain? His R. H. says it is not in his power to resume them immediately; with the motives that induce him to defer it the Rt. Hon. Gent. professes to be acquainted, but he does not choose to explain them. Among these motives may be the payment of foreign debts and other claims—claims which honour and principle acknowledge to be valid: but these, it seems, are not to be considered in the light of strict claims; his R. H. however, may think and feel otherwise. Neither, it appears, should he feel for those who lost ten per cent. on the debentures: their loss was imputable to their own mismanagement; for the Commissioners did not take off ten per cent. of their value; for they gave the creditors the option of debentures of 100*l.* bearing an interest of 3*l.* per cent. or debentures of 90*l.* bearing an interest of 5*l.* per cent. The Rt. Hon. Gent. says these debentures may have been at a discount at the time; but that was on account of the state of public affairs, and there was a great probability that after a time they would have borne a premium—that might very well be. There was a wide difference between a guinea and a debenture; and it is the value of any thing at the particular time that is to be considered as its true value. The creditors, it may be true, were not forced to deduct ten per cent.; but the terms held out to them were such as to induce them to take 90*l.* debentures, and that even while the debentures were at a discount. He was not prepared to say that all those who lost ten per cent. in the debentures had claims upon his R. H.; but he, and not Parliament, was the best judge of the matter. But the Rt. Hon. Gent. says his R. H. can have contracted no legal claims since the year 1795. The debts alluded to might not be what are called strictly legal, but honour might look upon them as fair claims. There again his R. H. and not the House, was the fittest person to judge. Under whatsoever aspect these claims might be viewed, they must be such in the mind of his R. H. as to prevent him from immediately resuming his wonted establishment. To his own prudence and economy it surely might now be left to distinguish what were his legal, what his promisable debts, and to judge of the time when it might be convenient to him to appear again in that state with which, from his rank and situation, he is expected to be attended. He should not be condemned to do at forty what he had done at the age of twenty—to enter upon an establishment to which his income was inadequate. The wisdom and liberality

of Parliament should guard him against such difficulties; from what they have lately witnessed, they should be induced to forget the past. It was evident that his R. H. had of late redeemed his character by the most prudential regard to pecuniary affairs, and by a system of economy which it is scarcely natural to expect in such a situation. What before was reluctantly, might now be joyfully, performed, and the House should no longer hesitate in hastening the moment when his R. H. might be restored to that state of splendour and magnificence, of which the circumstances of his birth and expectations should never be disrobed.

Mr. FULLER was of opinion that it was degrading his R. H. into the abject condition of a bankrupt, to permit his creditors to sustain a loss on their claims of 10 per cent.

Mr. BANKES contended, that the question that had been stirred on the present occasion should not be agitated without bringing it to some final decision. An attention to the claims of his R. H. by some was regarded as a matter of favour, by others as a matter of right. The House, indeed, did not know whether the claim had been preferred or not, and it might be wise in them not to come to a decision upon a matter on which they were not competent to decide; at least such a question was not now before them, and it would not be fair to debar his R. H. from a petition of right by the present motion, if he possessed such a right—neither would it be fair in his R. H. to make any such compromise in his claim. In this view he disliked the tendency of the resolution, and felt inclined to vote against it.

The question was now loudly called for, and the resolution was put and agreed to without a division.

HOUSE OF LORDS.

Friday, February 25.—(See Minutes, p. 340.)

[ESTABLISHMENT OF THE PRINCE OF WALES.]—Lord PELHAM called the attention of their Lordships to the consideration of his Majesty's most gracious message relative to the establishment of his R. H. the Prince of Wales. After a very few prefatory observations, his Lordship concluding by moving an address to his Majesty, the purport of which was to assure his Majesty that their Lordships would most heartily concur in any measures, the object of which was to promote the comfort, or to ensure the dignity of so distinguished a branch of his Royal House.

The Earl of CARLISLE made a few remarks expressive of his readiness to concur in any proposition calculated to restore his R. H. to that situation of splendour and dignity which he had, with such honour to himself, so long consented to lay aside. He could not, however, help stating, that if any arrangement was to be made for this purpose, it should be one perfectly consistent with that high sense of honour, and that powerful love of justice, by which every part of the conduct of his R. H. was distinguished. It was not fair nor honourable that his R. H. by not having his claims settled to arrears in the duchy of Cornwall, to a much larger amount than would be sufficient to relieve him from every incumbrance, should be placed in the humiliating situation of a debtor of the public, instead of appearing, as he really was, their creditor to a large amount. His Lordship contented himself with throwing out these hints in this stage of the business, reserving the power of delivering his sentiments at length when the subject came to be discussed in a specific form.

Earl MOIRA assured their Lordships, in the name of his R. H. of his perfect readiness cheerfully to acquiesce in any arrangement which Parliament in its wisdom might adopt. On the subject of his R. H.'s claims, he declined at present offering any decisive opinion, more especially when he considered that the Noble and Learned Lord on the Woolsack was, from circumstances not unknown to their Lordships, prevented from stating his sentiments on this subject. After expressing his cordial approbation of any measures by which the situation of his R. H. might be improved and his feelings gratified, he finished by reserving a more detailed statement of his sentiments till a direct measure was offered for their Lordships' consideration.

The question was then put on the motion for the address, and carried *nemine dissentiente*.

[FINANCE.]—Lord AUCKLAND, adverting to some observations which he had made on a former evening on the subject of the financial situation of the country, stated, that he had thought it his duty to examine what he had then held forth to their Lordships with considerable care, and the result of his examination had been, that what he then adduced was strictly correct. In consequence of what had fallen from a Noble Lord opposite (Lord Grenville), who was apparently disposed to doubt the accuracy of his statement, he was anxious that the matter should undergo a full and fair discussion. To have this subject brought fairly under their Lordships' consideration, he was therefore desirous that the documents by which his statements were to be substantiated should be laid on the table, and it was with the view of moving for their production that he now solicited their Lordships' attention. He did not wish that the discussion should be in any degree precipi-

tated, but he imagined, that about the middle of next week he might be able to bring the subject to a fair issue, and he should then move that the paper which he was now about to mention should be printed for their Lordships' use.—The Noble Lord, after this explanation, sat down with moving for "An "account of the permanent taxes and annual "grants for three years, ending the 5th of "January 1783;"—"An account of the du-"ties on bonded sugars;" and "An account "of the duties on malt and beer during the "same period."

A short explanation here took place betwixt Earl Moira, the Duke of Norfolk, and Lord Auckland.

Lord GRENVILLE expressed his high satisfaction at the honourable and candid mode of proceeding which the Noble Lord had adopted on the present occasion. It afforded him extreme satisfaction, that an opportunity was to be afforded of entering into a full and fair investigation of the financial state of the country; a subject at all times of the highest importance, but deriving new interest from the circumstances in which the country was placed. Nothing, his Lordship observed, could be more gratifying to his feelings, than that the statement of the Noble Lord respecting the financial resources of the country should be realized in all their extent. But he could not help observing that he had considerable doubts of the accuracy of that statement. The permanent charges on the consolidated fund had been stated at twenty-five millions, and the expenditure of the country at twenty-four. This, however, was by nearly four millions inferior to what he considered the real expenditure, even under the existence of a peace establishment, which made a difference to this amount betwixt the statement of the Noble Lord, and the real amount of the expenditure. He was happy that the matter was to be brought to an issue, for it was not a matter of light importance. The real resources of the country ought to be ascertained on clear and undeniable principles, and it was not fit that it should be left to vague speculation to decide what exertions we might be able to make in any emergency which might occur. The time which the Noble Lord had mentioned he thought was hardly adequate for that full consideration and inquiry which would be necessary to prepare their Lordships for fairly and advantageously entering on the discussion. Instead of proposing the discussion at the time that the motion was made for printing the papers, he thought it would be much more agreeable to parliamentary order that the papers should first be printed, and that a subsequent day should be appointed for taking them into consideration. There was also another point to which he begged leave to turn their Lordships' consideration. In the papers which the Noble Lord had moved for, there was nothing by which their Lordships might be enabled to compare the public receipts with the public expenditure. But if the discussion was intended to be conducted in a satisfactory manner, it was essential that they should be put in possession of every document by which a satisfactory opinion might be obtained. He would therefore suggest to the Noble Lord, while he moved for documents to exhibit a view of the amount of the national receipts, not to overlook those documents which presented a statement of the national expenditure, without which it was impossible to draw any conclusion on the subject.—In consequence of some private explanation betwixt the Noble Lord and Lord Auckland, his Lordship, in addition to his three former motions, moved for "An account "of the various charges on the consolidated "fund, during the same three years to which "the former accounts referred."

The motions were then successively put from the woolsack, and carried.

HOUSE OF COMMONS.

Wednesday, Mar. 2.—(See Minutes, p. 341.)

[IRISH REVENUE.]—Mr. CORRY moved, that the House should resolve itself into a committee upon the Irish revenue acts, and that the several accounts which had been presented should be referred to the said committee.—Ordered.

The House then resolved itself into a committee, Mr. ALEXANDER in the Chair.

Mr. CORRY said, that having stated to the House upon a former occasion the subject matter which was now under the consideration of the committee, it would not be necessary for him to occupy much of the time or attention of the committee, by going very minutely into the subject. The object of the motion with which he should now trouble the committee, was to renew the grants of the revenue of Ireland, which were heretofore annual grants, which were so while the Parliament of Ireland sat, and which had continued to be so since the Union. It was his intention to move, that those duties which had hitherto subsisted should be continued. He had at different periods given notice, that he meant to propose to move, that these duties should be granted permanently, that is to say, without limitation, instead of granting them annually; and he should therefore now move, to continue them without any period of limitation. The reason why he proposed to make this alteration, and depart from the usual mode, was this; viz. for the purpose of providing a permanent fund to meet the permanent charges of Ireland; such as the interest of the debt, the provision for the sinking fund, and also several grants under acts of Parliament, from the commencement of his

Majesty's reign to the present time. These were all charges to which the consolidated fund was liable, without any annual grants. The case was different with regard to the particular services of each year; for them it was necessary to come to Parliament for provision every year, as in this country. But with regard to the national debt of Ireland, it had never yet been permanently provided for, though, upon the propriety of making such a permanent provision, he was sure there could not be two opinions in that House. If the committee should concur with him upon this occasion, then the interest of the national debt, and other permanent charges in Ireland, would, as in England, have a permanent provision. The other grants for which he proposed to make this kind of provision were also in their nature permanent. With regard to the duties which he now proposed to continue, they consisted of duties upon imports, upon exports, bounties, drawbacks upon the re-exportation of foreign commodities, certain duties upon tonnage, together with all the inland duties of every description. They were generally the same as had subsisted since the Union, and since the last Parliament of Ireland: he said generally, because there were some small differences, but not of a nature sufficiently important to render it necessary for him to go into detail upon the subject: but if the committee, or any Gentleman, wished to have any more detailed information upon the subject, he would give it with the greatest satisfaction. In some cases in these duties, where there were fractions of a penny, or of a farthing, they had been made up to the integer, but the difference was very trifling indeed. In the case also of licenses granted to persons to carry on certain trades, in some instances the duty of the license was raised; but he hoped it had been done with due consideration of the nature of the trade, and of its capability to afford it; and he had every reason to believe that they would not in any instance be found oppressive. With respect to drawbacks, to bounties, and to inland duties, they remained the same. He took this opportunity of stating, that with regard to the duties on home-made spirits, certain notions had gone abroad, and discussions had taken place; but he wished distinctly to say, that there was nothing in these resolutions which at all touched the subjects that had been so under discussion. He was sure that many Gentlemen who represented the other part of the united kingdom perfectly comprehended what he alluded to, and he was therefore anxious to make their minds easy, as well as those of their constituents, by declaring that the subject was not touched in the present resolutions; neither would it be brought forward without full notice being given. Mr. Corry proceeded to notice some other slight alterations which he proposed to make, such as placing two or three towns which, from their extent and population, were entitled to rank among the first towns, in that class to which they belonged, because the persons living in these towns paid more for their licenses than those who resided in smaller ones. With regard to the proposal made for repealing certain duties, he wished to state that his object was, to put all the duties into one act, in order that merchants might have before them, in one view, all the duties which they had to pay. The whole of the duties he should therefore propose to re-enact in one act of Parliament, with some very trifling alterations which he did not think it then necessary to occupy the time of the committee with detailing at length. There was some difference between the book of rates in England and Ireland; some articles appeared in the one which were not in the other, and sometimes the same articles went under different denominations in the two countries. He had endeavoured to assimilate them as much as possible to each other, because this difference might be productive of great inconvenience; for instance, if accounts were called for from the custom-houses of the two countries with respect to some articles, the accounts, for the reason he had given, would not agree. This inconvenience was not merely of a temporary nature; for the committee would recollect, that at the end of twenty years, by the compact of Union, a new view was to be taken of the respective wealth and abilities for contribution of the two countries; it was therefore a matter of the greatest importance that the accounts of imports and exports should be as accurately kept as possible; and for this purpose an uniformity of denomination was absolutely necessary. Another object which he had endeavoured to accomplish was, to reduce the duties, which in some instances were rated duties, and in others *ad valorem* duties, to one general rated duty. This would be a very great convenience to merchants, for whose accommodation he proposed this regulation.

After some conversation between Col. Vereker, Mr. Corry, Mr. Wickham, and Mr. Lee,

Colonel Bagwell said, it was certainly a question of considerable importance, whether certain duties should be appropriated for certain purposes. Undoubtedly the best security ought to be given to the creditors of the national debt, but he thought it necessary that the House should have further information with regard to the different duties and taxes which they were called upon to vote permanently. In the last session, the duties were voted all together, and it was now proposed at once to make them all permanent. He was by no means inclined to give any opposition to the measure, or to oppose any of the duties, but he really thought, that upon a question of so much magnitude some further time should be given for consideration, in order

that they might know what they were to vote. Some of the duties which it was proposed to continue were considered in Ireland as war taxes, and that they were consequently to cease on the termination of the war. Such, for instance, was the duty on windows; and there were some others, which, in his opinion, required examination before they were voted permanently. He hoped, therefore, that the Rt. Hon. Gent. would not press the resolutions at present, but that he would postpone them, at least, for a few days.

Mr. Corry said, that the Hon. Gent. had complained of the want of sufficient information, and had stated that the duties had been voted last session altogether. He begged, however, to observe, that every possible information had been laid before the House. In the two last sessions, and in the present one, accounts had been presented of the amount of the revenue of Ireland, and also an account of the permanent charges. The House was therefore in possession of the two species of information which were necessary, viz. the amount of the revenue, and the amount of the charges. By an account now upon the table, the Hon. Gent. would find the receipts of the exchequer of Ireland last year amounted to 3,320,000*l.* and the amount of the permanent charges, consisting of the different items to which he had before alluded, amounted to 2,581,000*l.* The Hon. Gent. knew that all the revenues of Ireland formed one consolidated fund, and that whatever excess there was after the payment of the permanent charges, was applicable to the current services of the year. There were already granted this year many services, exceeding the surplus that would remain of the revenue, after the payment of the permanent charges; so that the House was in complete possession of every part of the subject. The Hon. Gent. had stated, that some of the taxes which it was proposed to continue were considered in Ireland as war taxes, and that it was expected they would cease on the termination of the war, and had instanced in particular the duty on windows. Upon this subject the Hon. Gent. had fallen into an error. There certainly had been an attempt of some persons whose sentiments were extremely different from the Hon. Gent.'s (and indeed he ought almost to offer an apology for making any sort of comparison between them), he meant the Jacobins of Ireland, to represent this as a war tax; but certainly no such idea was thrown out when the tax was proposed; it was a provision for the largest loan that had ever then been made in Ireland. The Hon. Gent. might indeed recollect a regulation which was made for the collection of the tax, which was a war regulation. It had been the avowed object of many persons in Ireland to obstruct the public supplies in every possible way, to depreciate the paper of the Bank of Ireland, and to injure the national credit; and in order to prevent those persons from throwing off their shoulders their share of the general burden, a clause was introduced, which enacted that persons should pay the duty according to the number of windows which their houses contained at the time when the tax was laid on. This regulation was certainly a war regulation, and of course expired with the war.

Col. Bagwell said, it was by no means his wish to give any opposition, or to throw any impediment in the way of public business; but as it was a subject of very great importance, he wished the Rt. Hon. Gent. would defer the consideration of it for a few days, in order to give the Gentlemen who represented that part of the United Kingdom an opportunity of inquiring into the subject. Without entering at present into the subject, he wished to observe with respect to one tax, which appeared to him to be very unfairly laid on; he meant the tax upon leather: the tanners of this country (England) paid at the rate of one penny per lb. which was allowed as a drawback upon exportation to Ireland, and then the duty of one penny was again laid on in Ireland; but, from the mode of collecting the tax in Ireland, the Irish tanners, instead of one penny, paid about 2½d. or something more, per pound; and this he knew had excited considerable uneasiness and discontent. His object in mentioning these circumstances was not, he repeated, to throw any obstacle in the way of the business, but, if possible, to remove every ground of serious objection.

Mr. J. Latouche said, he concurred with the Hon. Member who spoke last, in hoping that a few days would be given for the consideration of the subject. There was one tax which he was instructed to oppose as a permanent tax, and that was the duty upon windows. The Rt. Hon. Gent. seemed to suppose the opposition to this tax proceeded from persons of dispositions not very favourable to the constitution; but he had a petition against it from one of the most loyal corporations in Ireland, the corporation of the city of Dublin.

Mr. Corry said, it certainly was not an object with him to hurry this business through the House, or to prevent a full discussion of every part of it; on the contrary, if there was one mode better calculated than another to afford the means of discussion and investigation, he should most readily consent to it; but he begged leave to remind Gentlemen, that the duties which it was now proposed to continue were the same as those which had been voted in the Parliament of Ireland. With respect to what had been suggested about the tax upon leather, he wished to say a very few words. Since this tax was originally laid on,

at the rate of one penny per lb. it had never been increased, and it was a trade which, like many others, was carried on upon a very small scale in Ireland, and was spread generally over the face of the country; the consequence of which was, that in the distant parts of the kingdom many of the tanners paid little or nothing to the tax; and those who resided in or near great towns, could not bring their articles to market nearly so cheap as those who were enabled to evade the duty. Knowing this to be the state of the trade, he had endeavoured to inform himself whether any plan could be adopted, which would secure the profits of the fair trader, and at the same time ensure the collection of the revenue. From the information of a tanner, who had been in a considerable line of business, and who was enabled to give him complete information upon the subject, he (Mr. Corry) was able to form a system, which, in his opinion, would secure both these objects. He then called together a meeting of the trade in the city of Dublin; they were at first extremely hostile to the system he proposed; but, after repeated discussions upon the subject, every man remained perfectly satisfied with the tax; to prove which he would mention a circumstance (which of course he should not otherwise allude to), the corporation of tanners voted him their thanks for his plan. The effect of this regulation was, that in the ensuing year the tax amounted to 52,000*l.* whereas in the preceding year it was only 18,000*l.* It was true, that in different parts of the country there were some murmurs upon the subject—he believed, in particular, from the city of Waterford. His Rt. Hon. Friend (Mr. Wickham) transmitted to him some information upon the subject, when he was on the point of embarking for England, which induced him to delay his voyage, nd to send down to that city to request that deputation from the trade there might be sent up to investigate the subject with him, which offer they, however, declined. With respect to what had been said by the Hon. Gent. upon the propriety of delaying the discussion upon this question, he wished to observe to them, that this subject divided itself into two different heads; that they were now considering the propriety of laying on the duties, and that the proper time for discussing the mode of collecting them would occur in another stage of the business: as to any alteration which might be judged necessary in the mode of collecting the duties, if Gentlemen thought a delay upon this subject was necessary, he should have no hesitation in concurring in it. But with respect to the duties themselves, Gentlemen knew that they all expired on the 25th of March. It may be asked, why he did not introduce this measure sooner? This question he would answer, by asking another, namely, why it was that Gentlemen from that part of the United Kingdom did not appear sooner in their places? for he was particularly anxious not to bring forward a measure so important to that part of the United Kingdom, whilst so many of its representatives were absent.

The Chancellor of the Exchequer said, he really hoped that Gentlemen would not press for any further delay It would be remembered, that the preamble of this measure was discussed last session; that distinct notice was then given by his Rt. Hon. Friend, that the present proposition would be brought forward in the present session. It was in the contemplation of his Rt. Hon. Friend to have brought it forward previous to the recess; but he abstained from it, on account of the absence of so many Members who represented the other part of the United Kingdom; but he then gave notice, that he would bring it forward at an early period after the Christmas recess, and since then his time had been occupied in consequence of his being upon an election committee. The committee would recollect, that the Irish duties would cease on the 25th of March; the necessity of dispatch must therefore be obvious. It would also be recollected, that it was merely the resolutions that were before the committee, that the subject would again come before the House in the shape of a bill, in the various stages of which Gentlemen might state any objections that occurred to them. When he recollected that the grants for the permanent charges of Ireland were voted from year to year, he was really astonished how the credit of that country had stood so high as it had done for the last two years. The necessity of avoiding any unnecessary delay was obvious from a variety of considerations. Suppose the House should not be able to make the necessary ballots, and that the public business should be suspended for a few days, the consequence would be, that the whole revenue of Ireland would be in a state of abeyance. He therefore hoped that Gentlemen would feel the impropriety of proposing any unnecessary delay.

HOUSE OF LORDS.

Thursday, Mar. 3.—(See Minutes, p. 343.)

[Militia training bill.]—Lord Hobart moved the order of the day for the second reading of the militia exercise bill; which being done, he observed he felt it unnecessary to take up the time of the House on the present occasion; the general subject, of which the bill formed a part, was well known to their Lordships, as it had undergone ample and repeated discussions in that House when it was last regularly before them. He would observe, that the bill now under consideration went merely to amend one clause in the general bill. It would be in their Lordships' recollection, that by the last bill the militia was

was to be called out, for the purpose of training and exercising, for the term of twenty-one days; the bill in question was simply to extend that term to twenty-eight days. In the first instance, the lesser interval was considered as adequate, and the longer term was regarded as objectionable, principally on the score of expense. However, on maturer deliberation, it was found expedient, and, upon the whole, deemed advisable to extend the term for the purposes he had mentioned to the space of twenty-eight days: this being all the bill proposed to do, he should no longer detain the House, but merely move, "That "the bill be now read a second time."

The Duke of Montrose considered the bill as one of the utmost importance, and highly worthy of their Lordships' serious consideration. It was not his intention to oppose the second reading, but he thought it necessary not to allow the present opportunity to escape without submitting to their Lordships a few remarks which naturally suggested themselves on the motion for the second reading of a bill of the nature of that now before the House. In the present circumstances in which the country was placed, he could not help considering the proper training of the militia as a matter intimately connected with the preservation of our national freedom and independence. It was impossible that the very great change which had taken place in our situation relative to foreign powers should have escaped their Lordships' attention. A nation, which for ages had been our constant rival, had received a prodigious accession of strength from the acquisition of many populous nations, united as a branch of its population, or attached by the bonds of intimate alliance. The military character of this rival power had acquired new vigour, and all its resources were under the direction of a bold and adventurous chief. Of the character of this chief he had no intention at present particularly to speak; and while he adverted to this subject, he wished Noble Lords to understand that he was not arguing on the supposition of a speedy rupture. He saw nothing in the circumstances of the two countries which induced him particularly to anticipate such a rupture; but every dictate of policy and expediency required additional precautions in the measures calculated to guard against any unforeseen and unexpected renewal of hostilities. He had already said that it was not his intention particularly to descant on the character and views of the chief magistrate of France. At the same time he thought it fair to observe that he was known not to be particularly scrupulous in the choice of the means to which he resorted for the accomplishment of his views. When our situation was considered with reference to these circumstances, he conceived that there could not exist the smallest difference of opinion as to the necessity of keeping up a much larger military establishment than had ever been maintained or judged requisite in any former period of our history. This, indeed, his Majesty's Ministers had felt in its proper extent; and, with the conviction of this necessity, they had proposed, and Parliament had voted, the support of a peace establishment much more extensive than had ever been previously maintained. While he contended for the necessity of this increased establishment, and the expediency of keeping up a large effective military force, it was not because he entertained any dread of the ultimate consequence of any invasion which might be made on our coasts, wherever or at whatever period that invasion should take place; but it was essential that the country should be in that state of preparation, and should have such a disposable military force, as should enable us to meet invasion at once, however remote the quarter might be where the landing was attempted. On this account he was anxious that some other plan for the training of the militia, more effectual than that now proposed by the bill, should be adopted. When he considered what proportion of the time allotted for training the militia was exhausted in marching to the places where the training was to take place, and how many days intervened when the training was necessarily discontinued, he could not help thinking the period proposed by the bill was too short. For the correctness of this opinion the Noble Duke appealed to those Noble Lords who were professionally attached to the army, as well as to such of their Lordships as, from patriotic motives, had taken an active share in the training of the militia during the late war, whether the period which the bill prescribed for the training of the militia henceforth to be raised, was not inadequate to the purpose in view. He had himself no particular plan to propose, but he submitted to their Lordships whether the addition of twenty-eight days more, during which one third of the militia might be trained, would not be productive of the most beneficial effects. Of the militia so trained, one third only would be occupied in rotation; and by the adoption of this expedient, a large proportion of the regular military force would be left applicable either to a sudden descent on an enemy's coast, or to the undertaking of some expedition in a distant quarter of the world. These were points of very great importance, at no time to be neglected, but peculiarly necessary to be attended to in the present situation of the country. Only these grounds of objection occurred to him against the plan which he now suggested. It might be urged, that any farther extension of the time allotted to the training of the militia would create a very large additional expense, would be productive of much inconvenience to the officers, and would withdraw a great proportion of active, laborious citizens from

domestic occupations, at a time when their services might be particularly wanted. To the first of these objections the answer appeared to him simple and satisfactory. When it was considered that the whole expense of the training of the militia at present did not exceed two hundred thousand pounds, and that if a third of them were trained for double the period, an expense of only sixty thousand pounds more would be incurred, he could not allow this consideration of expense to have any weight: as applicable to the expenditure of so great a nation as this was, it was perfectly trifling. The second objection he viewed as equally unworthy of attention: Gentlemen, acting as officers of the militia, would only have to submit to an additional attendance of twenty-eight days, and that would only happen once in three years. This surely was no very serious inconvenience; but even admitting it to be much greater than it really was, it would be paying Gentlemen a bad compliment, whose situation called on them to act in the capacity of militia officers, to suppose that they would not, with the greatest alacrity and cheerfulness, submit to inconveniencies far greater, with the view of rendering so essential a service to their country. A sacrifice of this nature, and one of far greater magnitude, was indeed what their country had a right to demand. As to the objection drawn from the inexpediency of withdrawing a large proportion of the laborious classes from their ordinary occupations, he admitted that it was entitled to consideration: but it applied, though in a less degree, to the extension of the period of training which the bill proposed. The Noble Duke repeated the observation with which he introduced his speech, that it was not by any means his wish to oppose the second reading of the bill, and it was the farthest from his view to embarrass any of the measures of Government. He placed the greatest confidence in Ministers, and for many of them he entertained the highest possible respect and esteem. What he had now taken the liberty of throwing out had arisen from his anxious wish that every thing connected with the safety of the country might be placed on the most respectable footing; and if not at present, at least during the next session of Parliament, some arrangement of the nature which he had suggested would occupy the attention of Ministers. He was the less anxious at the present moment to press any measure on the acceptance of Government, as, from the vast number of militia which had been kept up during the war, a large disposable force could now, if circumstances required it, be easily procured.

Lord HOBART, on the part of Ministers, thanked the Noble Duke for the hints which he had thrown out for their consideration. They certainly were well deserving of attention, as indeed every thing was that fell from so respectable a quarter. Ministers were fully aware of the important change which had taken place in the situation of this country relative to foreign powers; and so far as the question of the augmentation of a military disposable force was concerned, ample provision had been made during the last session by the vote of a peace establishment, of a nature adequate to protect us against any sudden danger. The militia during last war had been found of essential service, and it was with the view of rendering their services still more efficient than the present bill had been framed.

After a few words in explanation from the Duke of Montrose, the bill was then read a second time, and committed for next day.

HOUSE OF COMMONS.

Friday, Mar. 4.—(See Minutes, p. 402.)

[PRINCE OF WALES'S ESTABLISHMENT.] —Mr. CALCRAFT said, that before he entered on the short statement with which he meant to preface the proposition he held in his hand, he thought it necessary to declare, as he had done on a former night, that he never had any communication on the subject with the illustrious personage to whom it alluded, nor with any other person, save one. However delicate the subject might be, he trusted that the method he should adopt in bringing it forward was such as would not be objected to by any person of any party whatever. The message which had lately been presented to the House he considered as the language of the Minister, though it was called the message of the Crown, and in that were involved matters which he thought of the greatest consequence, as they related to a subject so important, as that of keeping up the splendour and dignity attached to the high station of the Heir Apparent of the monarchy of this country. Sorry he was, that what had been done in consequence of that message was not effectual, so as to enable the illustrious personage alluded to in it to resume that dignity and splendour immediately, of which he had been so long deprived. To enable him to do this, was his object in bringing forward the present proposition; and the mode he intended to pursue in doing so, was to move for a committee to inquire into the extent of those claims which at present embarrass his R. H. and prevent him from resuming that exalted rank and station which it was so much to be lamented he had ever been obliged to relinquish. He expressed the utmost confidence that the House would do every thing necessary towards so desirable a purpose; and when he considered his Majesty's message, he was certain that it went further than the mere voting such a sum as does not put the Prince one jot nearer to the resumption of his dignity than he was before. An Hon. Gent. (Mr. Erskine) had, on a for-

mer night, on opening this business, said that his R. H. was satisfied. He was at all times willing to take that Hon. Member's assurance; but, as a Member of Parliament, he should not think himself justified in taking the assurance even of the illustrious personage to whom he alluded, in a case of so peculiar a delicacy and so unusual an importance as the present. Feeling, as he did, the pressing necessity of the Prince's resuming that state and dignity which belonged to his exalted situation, it was much better the House should go a step further than it had yet done, by adopting the proposition he had to offer, than suffer his illustrious character to be liable to imputations, which there were too many would be ready to throw on it, if, after the sum voted in consequence of the message, he still continued in that state of privacy in which he had already so long remained. If it should be supposed there was any question of delicacy in instituting an inquiry into the Prince's affairs, he was certain the Commissioners, in 1795, went infinitely farther than he intended to do. There doubtless was no mode of compelling a disclosure of the state of his R. H.'s affairs, but if the committee was appointed, and any objection was made from that quarter, he and the House would have the satisfaction to know, that they had gone as far as they could, and done every thing in their power to expedite the wishes of his Majesty to the fullest extent, and as early as possible. For his own part, he should not have undertaken the business, but that he thought he saw an anxious desire in the House on a former night to emancipate his R. H. immediately from those embarrassments with which he was at present surrounded. While Ministers were continually holding forth, and while the House rejoiced to join them in congratulations to the country on the flourishing state in which it now stands, the rank, the splendour, and dignity of the Heir Apparent ought not to be overlooked. If we were to be splendid in our national establishment, if we prided ourselves on the magnitude of our undertakings, and on the extent of our improvements in arts, arms, manufactures, and commerce, is the Prince of Wales alone, said the Hon. Member, to live in a parlour of his palace, and be known to the people of this country only as a dignified personage in private life? He could not suppose the House would longer endure such an idea. This was not a personal question by any means. The public at large was interested, and deeply interested, in this illustrious personage, who is the Heir Apparent to the monarchy, being speedily restored to that high rank and dignity in which it is their pride and glory to see him. In bringing forward this measure, he could assure the House that he did not mean the smallest disrespect to any human creature. He could not but feel for the situation of the illustrious personage to whom his proposition alluded, who, with so much honour to himself, had, by the communication he had made to the House, candidly acknowledged, that notwithstanding his Majesty's paternal kindness, and the liberal disposition of the House, he could not resume the rank and splendour attached to his dignified station, till certain debts which he thought himself bound in honour to pay were discharged. As an independent Member of Parliament, he thought it his duty to appeal to the House to stand forward at once, and extricate his R. H. from those embarrassments, and thus enable him to resume immediately that splendour and dignity which it was the evident wish of his Majesty's message he should do, and which he was certain it was also the wish of a great majority of that House that he would do. He should not therefore longer trespass on the time of the House than to read his motion, which he did to the following purport:—

"That the House, anxiously desirous to give "full effect to the important objects contained "in his Majesty's most gracious message of "the 16th of February, do appoint a select "committee to inquire into the embarrass-"ments of the Prince of Wales, and into the "most effectual means of relieving them as "speedily as possible, in order to enable his "R. H. to resume the splendour and dignity "attached to his exalted station."

Mr. Erskine said, the Hon. Gent. who had made the motion had adverted to what he had said on a former night. On that night he came into the House by accident, and on his entrance he found an Hon. Member, who held an official situation under the Prince of Wales, reading in his place to the House the communication which his R. H. had thought it his duty to make to them. After that Hon. Member had performed the duty imposed on him, the Hon. Gent. who had just sat down gave notice of the motion he intended this day to bring forward; and he then, as a servant of his R. H. thought it his duty to state to the House that the Prince had expressly assured him he was perfectly satisfied, both with the gracious intentions of his Royal Father, and the liberal proceedings of Parliament, though he thought it a duty incumbent on him to state to them, that he could not for some time resume that splendour and dignity they were desirous he should do. At the same time he thought it necessary to add, that the motion, of which the Hon. Gent. had given notice, was altogether unknown to the illustrious personage to whom it related; because, as that notice had been given so immediately after the communication from his R. H. had been read, it might have been conceived by the public, had nothing been said of it, that it was made with the Prince's privity, and he would then have seemed to be at variance with that satisfaction which he expressed himself to have felt at the proceedings

domestic occupations, at a time when their services might be particularly wanted. To the first of these objections the answer appeared to him simple and satisfactory. When it was considered that the whole expense of the training of the militia at present did not exceed two hundred thousand pounds, and that if a third of them were trained for double the period, an expense of only sixty thousand pounds more would be incurred, he could not allow this consideration of expense to have any weight: as applicable to the expenditure of so great a nation as this was, it was perfectly trifling. The second objection he viewed as equally unworthy of attention: Gentlemen, acting as officers of the militia, would only have to submit to an additional attendance of twenty-eight days, and that would only happen once in three years. This surely was no very serious inconvenience; but even admitting it to be much greater than it really was, it would be paying Gentlemen a bad compliment, whose situation called on them to act in the capacity of militia officers, to suppose that they would not, with the greatest alacrity and cheerfulness, submit to inconveniencies far greater, with the view of rendering so essential a service to their country. A sacrifice of this nature, and one of far greater magnitude, was indeed what their country had a right to demand. As to the objection drawn from the inexpediency of withdrawing a large proportion of the laborious classes from their ordinary occupations, he admitted that it was entitled to consideration: but it applied, though in a less degree, to the extension of the period of training which the bill proposed. The Noble Duke repeated the observation with which he introduced his speech, that it was not by any means his wish to oppose the second reading of the bill, and it was the farthest from his view to embarrass any of the measures of Government. He placed the greatest confidence in Ministers, and for many of them he entertained the highest possible respect and esteem. What he had now taken the liberty of throwing out had arisen from his anxious wish that every thing connected with the safety of the country might be placed on the most respectable footing; and if not at present, at least during the next session of Parliament, some arrangement of the nature which he had suggested would occupy the attention of Ministers. He was the less anxious at the present moment to press any measure on the acceptance of Government, as, from the vast number of militia which had been kept up during the war, a large disposable force could now, if circumstances required it, be easily procured.

Lord HOBART, on the part of Ministers, thanked the Noble Duke for the hints which he had thrown out for their consideration. They certainly were well deserving of attention, as indeed every thing was that fell from so respectable a quarter. Ministers were fully aware of the important change which had taken place in the situation of this country relative to foreign powers; and so far as the question of the augmentation of a military disposable force was concerned, ample provision had been made during the last session by the vote of a peace establishment, of a nature adequate to protect us against any sudden danger. The militia during last war had been found of essential service, and it was with the view of rendering their services still more efficient than the present bill had been framed.

After a few words in explanation from the Duke of Montrose, the bill was then read a second time, and committed for next day.

HOUSE OF COMMONS.

Friday, Mar. 4.—(See Minutes, p. 402.)

[PRINCE OF WALES'S ESTABLISHMENT.] —Mr. CALCRAFT said, that before he entered on the short statement with which he meant to preface the proposition he held in his hand, he thought it necessary to declare, as he had done on a former night, that he never had any communication on the subject with the illustrious personage to whom it alluded, nor with any other person, save one. However delicate the subject might be, he trusted that the method he should adopt in bringing it forward was such as would not be objected to by any person of any party whatever. The message which had lately been presented to the House he considered as the language of the Minister, though it was called the message of the Crown, and in that were involved matters which he thought of the greatest consequence, as they related to a subject so important, as that of keeping up the splendour and dignity attached to the high station of the Heir Apparent of the monarchy of this country. Sorry he was, that what had been done in consequence of that message was not effectual, so as to enable the illustrious personage alluded to in it to resume that dignity and splendour immediately, of which he had been so long deprived. To enable him to do this, was his object in bringing forward the present proposition; and the mode he intended to pursue in doing so, was to move for a committee to inquire into the extent of those claims which at present embarrass his R. H. and prevent him from resuming that exalted rank and station which it was so much to be lamented he had ever been obliged to relinquish. He expressed the utmost confidence that the House would do every thing necessary towards so desirable a purpose; and when he considered his Majesty's message, he was certain that it went further than the mere voting such a sum as does not put the Prince one jot nearer to the resumption of his dignity than he was before. An Hon. Gent. (Mr. Erskine) had, on a for-

mer night, on opening this business, said that his R. H. was satisfied. He was at all times willing to take that Hon. Member's assurance; but, as a Member of Parliament, he should not think himself justified in taking the assurance even of the illustrious personage to whom he alluded, in a case of so peculiar a delicacy and so unusual an importance as the present. Feeling, as he did, the pressing necessity of the Prince's resuming that state and dignity which belonged to his exalted situation, it was much better the House should go a step further than it had yet done, by adopting the proposition he had to offer, than suffer his illustrious character to be liable to imputations, which there were too many would be ready to throw on it, if, after the sum voted in consequence of the message, he still continued in that state of privacy in which he had already so long remained. If it should be supposed there was any question of delicacy in instituting an inquiry into the Prince's affairs, he was certain the Commissioners, in 1795, went infinitely farther than he intended to do. There doubtless was no mode of compelling a disclosure of the state of his R. H.'s affairs, but if the committee was appointed, and any objection was made from that quarter, he and the House would have the satisfaction to know, that they had gone as far as they could, and done every thing in their power to expedite the wishes of his Majesty to the fullest extent, and as early as possible. For his own part, he should not have undertaken the business, but that he thought he saw an anxious desire in the House on a former night to emancipate his R. H. immediately from those embarrassments with which he was at present surrounded. While Ministers were continually holding forth, and while the House rejoiced to join them in congratulations to the country on the flourishing state in which it now stands, the rank, the splendour, and dignity of the Heir Apparent ought not to be overlooked. If we were to be splendid in our national establishment, if we prided ourselves on the magnitude of our undertakings, and on the extent of our improvements in arts, arms, manufactures, and commerce, is the Prince of Wales alone, said the Hon. Member, to live in a parlour of his palace, and be known to the people of this country only as a dignified personage in private life? He could not suppose the House would longer endure such an idea. This was not a personal question by any means. The public at large was interested, and deeply interested, in this illustrious personage, who is the Heir Apparent to the monarchy, being speedily restored to that high rank and dignity in which it is their pride and glory to see him. In bringing forward this measure, he could assure the House that he did not mean the smallest disrespect to any human creature. He could not but feel for the situation of the illustrious personage to whom his proposition alluded, who, with so much honour to himself, had, by the communication he had made to the House, candidly acknowledged, that notwithstanding his Majesty's paternal kindness, and the liberal disposition of the House, he could not resume the rank and splendour attached to his dignified station, till certain debts which he thought himself bound in honour to pay were discharged. As an independent Member of Parliament, he thought it his duty to appeal to the House to stand forward at once, and extricate his R. H. from those embarrassments, and thus enable him to resume immediately that splendour and dignity which it was the evident wish of his Majesty's message he should do, and which he was certain it was also the wish of a great majority of that House that he would do. He should not therefore longer trespass on the time of the House than to read his motion, which he did to the following purport:—

"That the House, anxiously desirous to give "full effect to the important objects contained "in his Majesty's most gracious message of "the 16th of February, do appoint a select "committee to inquire into the embarrass-"ments of the Prince of Wales, and into the "most effectual means of relieving them as "speedily as possible, in order to enable his "R. H. to resume the splendour and dignity "attached to his exalted station."

Mr. Erskine said, the Hon. Gent. who had made the motion had adverted to what he had said on a former night. On that night he came into the House by accident, and on his entrance he found an Hon. Member, who held an official situation under the Prince of Wales, reading in his place to the House the communication which his R. H. had thought it his duty to make to them. After that Hon. Member had performed the duty imposed on him, the Hon. Gent. who had just sat down gave notice of the motion he intended this day to bring forward; and he then, as a servant of his R. H. thought it his duty to state to the House that the Prince had expressly assured him he was perfectly satisfied, both with the gracious intentions of his Royal Father, and the liberal proceedings of Parliament, though he thought it a duty incumbent on him to state to them, that he could not for some time resume that splendour and dignity they were desirous he should do. At the same time he thought it necessary to add, that the motion, of which the Hon. Gent. had given notice, was altogether unknown to the illustrious personage to whom it related; because, as that notice had been given so immediately after the communication from his R. H. had been read, it might have been conceived by the public, had nothing been said of it, that it was made with the Prince's privity, and he would then have seemed to be at variance with that satisfaction which he expressed himself to have felt at the proceedings

of Parliament. He made this declaration now, he said, to shew why he had acted as he did, in order that it might not be thought that he meant to discountenance the motion. Proud as he was, and ever should be, in possessing the confidence, and acting as the servant of the illustrious personage to whom the present motion alluded, he had still a higher character to support, that of a Member of Parliament; and as such he thought it necessary to give his reason why he had not spoken on the subject of his Majesty's message. His Majesty did not ask any specific sum, but left it to the House to decide for the interest and advantage of so near and dear a branch of the Royal Family. The Rt. Hon. Gent. who was the organ of the Crown, in bringing forward the measure, had acted with that moderation which did him the highest honour, as it shewed his desire to comply with the wishes of his Majesty, and at the same time to make the pressure on the people as light as possible. He did not think it proper to give any opinion at that time on the subject. It does, however, now distinctly appear, that what is done will not be effectual. The present motion was no censure on his Majesty's message, nor any criticism on the conduct of Ministers; if it had been either of these, he should think himself bound to vote against it. His Majesty says, by his message to the House, Enable me to give that which will restore dignity to the Prince of Wales; and the House assured his Majesty, by their address, that they were ready to do so. The sum, however, voted is not sufficient for the purpose, and the Hon. Member who makes the present motion is desirous to remedy the defect. This, therefore, is not a proposition from Ministers, but from an independent Member of Parliament; and its design is to shew our desire to support the monarchy. It is only to say, We desire to give your Majesty more than you ask; in order to keep up the splendour of the Prince, we desire to add to that sum which your Majesty's Minister has asked and obtained from the liberality of Parliament. Suppose the Rt. Hon. Gent. had asked any specific sum, perhaps it might have roused the recollection of some Members, and induced them to revert to the expenses of the war, and other burdens, which certainly pressed on the people. He rose thus early, in order to shew, that in the present motion there was no hostility to the message. He was sure the Rt. Hon. Gent.'s disposition towards the Prince was not limited by the proposition he had brought forward, but that if Parliament chose to add to that sum, he would be as glad as any one to see the Heir Apparent relieved from his embarrassments. For his own part, he was happy to think that this business would be finally settled, without the claims of the Prince having been brought forward. On this head, he had never said that those claims would amount to any specific sum, but what he had asserted was, that the Prince of Wales was entitled to the revenues of the dutchy of Cornwall from his birth. This doctrine had never been contradicted by any lawyer in that House, and had received the tacit assent of Lord Ellenborough, who was then Attorney-General. It was clear that the reason of that grant was for the sustentation and dignity of the Prince of Wales, independent of the King. With regard to the revenues of the dutchy of Cornwall, they had been received by his Majesty's Ministers, and it was no matter whether the amount was ascertained to be any particular sum: the fact was, that whether the public was indebted to the Prince or not, this was undeniable, that we have now a Prince of Wales, at the age of forty, who has been no burden on the public. The sum granted in consequence of the message was such as the House thought proper for any Prince of Wales. The Rt. Hon. the Chancellor of the Exchequer had, on a former occasion, stated that his Majesty's message had no connexion with the Prince's claims. The great object he had in view in troubling the House on the present occasion was, to remove all idea that the Prince has any concern or interest in the present motion; and he assured the House that he had no other anxiety on his mind than an ardent wish that the public should not suppose that the Prince had received the bounty of the House, and not acted according to its intentions in granting it, by immediately resuming the dignity and splendour which were the immediate intention of the grant.

Mr. Fuller said, he had no doubt but that our wise ancestors, in their wise institutions, meant to make the Prince of Wales independent of his father. What does the Hon. Gent. who made the motion ask?—only that the embarrassments of the Prince be inquired into by a committee of the House. What had been the effect of the deductions made by the Commissioners? They had tended to accumulate the present debts, which the Prince thought himself bound in honour to pay. He was astonished to see any reluctance shewn to so fair a proposition as that now under the consideration of the House. He was certain, had these items, which had been struck off by the Commissioners, been submitted to a jury of the country, they would have been universally allowed. He begged pardon for having expressed himself with considerable warmth; his feelings would not allow him to speak otherwise, when he reflected that he was arguing in favour of the most elegant, manly, and accomplished Prince in Europe.

Sir Robert Buxton said, that he should be extremely happy to see the Prince resume the splendour and dignity to which his rank in the state so fully entitled him; but he then spoke

as a representative of the people, and it behoved him as such to be very cautious how he imposed any additional burdens on them. It had been said that we were not now in a state of war; but are we not, he asked, in a financial situation very similar to that of a state of war? No taxes have yet been taken off, except the income-tax, and in lieu of that others have been imposed, which weighed very heavy on the body of the people, particularly the window-tax. He then asked if this was a time to be laying additional burdens on the people?—He desired the House to look at the present situation of France, to consider the immense army she kept up, and the gigantic exertions she was making to render herself the arbitress of the whole of Europe. No man wished more for the high establishment of the Royal Family than he did; but he thought the Prince would do himself more honour by giving up the trappings of royalty at this moment than by resuming them. For these reasons he was so thoroughly convinced of the impropriety of the present motion, that he thought it his duty to move the previous question.

Mr. Curwen observed that the proposition met with his hearty concurrence. He was as unwilling as any man to give his countenance or support to extravagance in any situation, however elevated; but he thought it unworthy the character or spirit of any Member of that House, to suppose for a moment that any man could entertain the most distant idea of withholding his support to the becoming state and dignity of the Heir Apparent to the throne of the British empire. With this view he should support the motion for a committee of inquiry, that those in the secret might come forward and explain what was the obstacle which prevented his R. H.'s immediate resumption of his state and dignity; that they might state what was the amount of the sum which occasioned the postponement of an object so much the wish of every man, he might say, in and out of that House, the splendour and dignity of the Prince of Wales.

Mr. Hilliard said, that his R. H. had certainly acknowledged, with a gratitude which becomes every son to his father, the kind attention of his Majesty in sending his most gracious recommendation to this House; and he had thanked the House for their liberality towards him; but he also had declared that he would not immediately resume his dignity. He would wish to see the Heir Apparent to the crown of this united kingdom, placed in a situation in which he has not been since the year 1787.

Mr. Johnstone stated, that he felt himself bound to object in the most decided manner to the motion. At the same time he yielded to no man in respect for the Prince, whose many noble and amiable qualities he acknowledged: but he did not consider himself at liberty to consult his feelings in the disposal of public money at a period when forty millions annually were raised from the subject, when even that enormous revenue was inadequate to the expenditure; and when, above all, we could only consider ourselves as preparing for another great and arduous struggle, which was to decide even our existence as a nation. When new burdens were to be imposed on the public, he expected that it would be shewn what was the correspondent benefit which the public was to derive. And though he felt that to maintain in due splendour all the branches of the Royal Family was essential to the true interests of the country, he must contend that no arguments were stated to prove the necessity of revoking those arrangements which Parliament, after great deliberation, had adopted in 1795. At that period a considerable ferment, a considerable degree of jacobinical spirit prevailed; and therefore it might have been argued that it would be dangerous to abridge the Prince of any part of that splendour, which certainly has its effect on the multitude: but now the whole people were united in loyalty to the King, affection for the Prince, and attachment to the constitution; and what they chiefly desired to behold in the Royal Family was, a sensibility of the many burdens with which they were oppressed. But other Gentlemen talked of the rights of the Prince resulting from the dutchy of Cornwall. This question was discussed in 1795, when relief had been solicited from Parliament, and it then was the duty of the Prince to urge his right, or rely on the generosity of the public. He had chosen the latter; and it was not fair, after experiencing the liberality of the country, to renew the claim of right. On this, however, he was not inclined to insist, especially as in the last year the Prince was desired to present his claims to legal discussion. Why was not that discussion brought to an issue? No difference could arise between the King and the Prince, as was stated: for the revenues having been applied to the public service, the public was answerable, and the King had no more to do with the suit than with any other in which he was made defendant in the way of form. But there existed another very good reason why the suit should not be prosecuted: that it could produce nothing; for, admitting the Prince entitled to the revenues of the dutchy of Cornwall from the hour of his birth, the amount was 234,000*l.* Now during the 12 last years of his minority, there had been issued

by regular payments - - - -	£.128,000
Extra payment - - - - - -	50,000
Half of 32,000*l.* paid jointly to the Duke of York and himself - - -	16,000

Allowing that the expences of the

first nine years of his minority were 5000*l.* per annum, which could scarcely be too much, as 6000*l.* was now allowed for the Princess of Wales - - - - - £.45,000 the whole expenditure was 239,000*l.* to be set against a receipt of 234,000*l.* during the Prince's minority. But was this all? There had been paid 60,000*l.* on his coming of age, 219,000*l.* in 1787, and 52,000*l.* in 1795, beyond the fixed and regular allowances: so that on the whole there were payments to the amount of 570,000*l.* to be opposed to a claim of 234,000*l.* He stated these facts because he considered the people of England insulted when they were told that his Highness had made a sacrifice by condescending to accept between 2 and 3000*l.* If that measure was adopted, it proceeded from the generosity and liberality of the nation, for no claim of right did exist. It was fit and proper the public and the House should know the true state of this question, and he was conscious he had discharged his duty in stating these facts.

Mr. HENRY LASCELLES said, it was with sincere regret he heard that his R. H. could not immediately resume that state and dignity which belonged essentially to his exalted station. The people in the country could not understand the nature or legality of his claims on the dutchy of Cornwall, and he could wish that question had been decided, and not held over the House *in terrorem*.

Sir WILLIAM GEARY said his R. H. possessed a more elevated mind than to make any indirect application; it was therefore unnecessary for any Member to declare that the present Motion was submitted to the House without the privity or consent of the Prince of Wales. But he felt himself bound by his duty as a Member of Parliament, to support the monarchical part of the government, and upon the same principle he thought it equally requisite that he should give every support in his power to the immediate resumption of that state of splendour and dignity which should belong to the Heir Apparent to the crown. He had been told that the Prince of Wales could not immediately resume his becoming splendour; but, in his opinion, the Hon. Member said, we should do it, we should enable him immediately to resume, for our own sake, whatever it might cost.

Mr. DENT said, he believed it was the wish of the House and country at large, that the Prince should resume that style of magnificence which should attach to this exalted personage.

Mr. BURDON was as anxious to promote the dignity of the Royal Family as any other Member in that House: but he had heard something said of debts of honour: these claims were directly against the letter and spirit of the regulation of 1795, and he thought it contrary to the manly spirit of that House to insist on inquiry. He should therefore vote for the previous question.

Mr. TIERNEY said, that he felt no degree of sorrow that the present discussion had been brought forward; but was, on the contrary, happy that this opportunity was offered of delivering his sentiments on the subject. When the Report of the committee on his Majesty's message was brought up, he, among other Members, was desirous of offering his opinion; but the House were told that they were pledged to go up to St. James's with the address on his Majesty's providential escape at three o'clock, and all discussion was therefore precluded. He could not help remarking on the impropriety of bringing forward the Report on a subject of such magnitude on the day when the House being under the necessity of waiting on his Majesty at a particular hour, were prevented from fully and fairly canvassing the merits of the proposition contained in the Report. All the accounts were now on the table, and an opportunity now offered itself of fairly considering the subject. In the remarks which he had now to offer, he might view himself as a Member who had been absent from any previous proceedings on the subject, and who was left to gather all his information from the Journals of the House. In what situation would such a Member then find himself placed? On the Journals of the House he would find a message from his Majesty, recommending the present condition of his R.H. to their attention, and expressing his confidence that they would make such arrangements as would secure the comfort and support the dignity of so distinguished a branch of the Royal Family. He would find this message followed up by a proposition on the part of Ministers, professing to have this object in view, and on the same Journals he would see an official communication from his R. H. stating in the clearest terms, that if it was the object of the proposition to enable him to resume his dignity, it was not adequate for that purpose. Under these circumstances, and with this information, would it be in the least degree extraordinary, that a Member so situated should immediately agree to a motion for inquiry? Would he not be inclined to think that there was something wrong in this; something which required explanation? and would he not vote for the appointment of a committee, the object of which was to secure this explanation, before he consented to give his vote for a considerable grant of the public money? On such grounds he was disposed to give the motion of his Hon. Friend his most cordial support. In voting for the committee, he did not at all pledge

himself to vote for whatever sums might be found to be still undischarged; but as a Member of Parliament he wished to ascertain what the circumstances were which prevented the resumption of his R. H.'s splendour. The result of any inquiry into the nature or extent of those debts which either his honour or his justice called on him to discharge, he was far from dreading as likely to turn out unfavourable to his R. H.'s character. Instead of any thing unworthy of that high sense of honour by which his R. H. was so remarkably distinguished, he was fully convinced in his own mind that the explanation would only raise him in the esteem of the public. Possessing, as he did, the strongest attachment to the Prince, he should not support the motion for the committee, if he did not think that the result would be highly honourable to his conduct. For his part, he was so firmly persuaded of this, that he stated with perfect conviction, that even if the worst enemies of the Prince were put on the committee, they would discover no transaction of which he ought to be ashamed, or which could injure him in the estimation of the public. A great deal had been said about the increase of the burdens of the people, and some Gentlemen seemed extremely desirous of agreeing that any addition to the income of his R. H. the Prince of Wales was an addition to the burdens of the people. What was the state of the account betwixt his R. H. and the public, he professed not to know. This, however, he did know, that during the last session his R. H. did lay before the House a proposition for considering the amount of his claims, and referred them to their judgment. It was not then denied that an account ought to be taken: all that was contended for was, that this was not the competent tribunal; that the matter was one for the decision, not of the legislature, but of a court of law. In deference to this decision, his R. H. prepared a petition, which was laid before the Lord Chancellor, and the matter was put into a train of adjudication. It did not appear that his R. H. had discovered any unwillingness to proceed with the suit; it did not appear that he knew any thing of the unwillingness of Ministers to have the matter brought to a fair issue, or that he had made any application to them on his part, or submitted any overture for receiving 60,000*l.* as a condition of relinquishing all further proceedings. But when his R. H. had proceeded so far with his suit, when every thing announced a speedy determination, Ministers had stepped in with this proposition, as if they thought that his R. H. had sufficiently atoned for his offences. Twelve years were fixed on as the period of his probation; but exactly at the end of seven years and a half, when the amount of his claims on the public is about to be ascertained, when it is about to be determined whether such a sum was due to him as would enable him to resume his former dignity, a period is put to his state of humiliation, and a provision is assigned him without the smallest explanation of so extraordinary a change. Of the causes of this change he knew nothing; but he now appeared as a representative of the people desirous of some explanation. But how was this explanation to be obtained, unless by the medium of the production of papers, or the appointment of a committee of inquiry? This was the object of his Hon. Friend's motion, and therefore it should have his cordial vote. His Hon. Friend had stated with the greatest candour, that the motion was brought forward without the privity of his R. H. To state this, was indeed almost unnecessary, as his R. H. after the communication he had made to the House, could not come forward with any new application. When in consequence of a message from his Royal Father, a proposition was made for granting an annual sum of 60,000*l.* in addition to the income he now possessed, it was impossible for him not to accept of this offer with eagerness and gratitude. This was all perfectly natural; but the question next came to be, had any thing more satisfactory been arranged? Did Gentlemen who wished well to the monarchical part of the constitution, think that no occasional burdens were to be submitted to with the view of increasing its dignity and supporting its splendour? Were not the splendour and the dignity which the Heir Apparent was enabled to keep up, essentially connected with the honour and the dignity of the monarchy? One Hon. Member (Mr. Johnstone) had contended, that the Prince of Wales had obtained from the public at different times, upwards of 560,000*l.*; and that, therefore, to talk of the sacrifices which had been made by his R. H. was to offer an insult to the country. This, however, was an insult which might be very easily resented, and that was by shewing how the account betwixt his R. H. and the public actually stood. When the whole account came to be fully examined, he did not believe that almost any one of these statements would be found to be correct. Among the articles charged on the Prince to the public, were, the expenses of his education. This, however, was totally incorrect; as the expenses of his education were defrayed, not out of the consolidated fund, but paid from the civil list. The receipts from the dutchy of Cornwall were stated at 234,000*l.*; and to be deducted from this sum he allowed the 125,000*l.* which had been given for the payment of his R. H.'s debts. The sums expended on Carlton House he could not allow to be fairly placed to his R. H.'s account. If a Prince of Wales was to be maintained at all, it was proper that he should be maintained in a style suited to his rank and prospects. He was not to be turned out into the world without some ade-

quate provision. The whole amount of the sums which had been advanced for his R. H. being fairly considered, it would, he contended, be found, that he was the least expensive Prince of Wales who ever existed. If the accounts were fairly balanced, it would, he was persuaded, be found that 30,000*l.* was the amount of the whole of what had been advanced by the public by extraordinary grants. True it was, that his R. H. had an annual revenue of 125,000*l.* assigned to him in 1795: but this was what, from his rank and situation, he had an indisputable right to possess. If, in the year 1738, the grandfather of his R. H. enjoyed a clear income of 100,000*l.* 125,000*l.* would not be reckoned too ample in 1803, increased as was the price of every article of subsistence. He begged it to be understood that he did not speak from the knowledge of any incumbrances which existed on the establishment of his R. H.; but if a committee were appointed, and the result of their inquiries should be, that new incumbrances had during the last eight years accrued, this would not be matter of astonishment—it would rather appear the result of necessary causes. An Hon. Gent. on the floor (Mr. Fox) had on a former evening argued against the system of justifying incumbrances on the civil list, by considerations drawn from the depreciation of the value of money. In the general position which the Hon. Gent. laid down on this subject, he heartily concurred; but with the admission, that a depreciation to a very extraordinary degree had taken place within the last ten years, it was very hard that his R. H. should be the only individual to whom the benefit of such an argument was not to be extended. Economy was the perpetual theme from some Hon. Members, but the manner in which this economy operated was rather singular. These economical gentlemen had, without the least evidence, granted 60,000*l.* to his R. H. on the mere credit which they attached to the assertions of Ministers. They granted the money, but they would hear nothing of a motion for inquiry. This was a sort of economy very different from that which he had ever thought it his duty to preach or to practise. But had these scrupulous and economical Gentlemen never heard any thing of the increase of the salaries of persons in public offices during the few last years? He did not mention this with any view of objecting to the increase; for, whatever were the views of economy which he encouraged, he had on all occasions been an advocate for a liberal provision to those employed in the public service. Without, therefore, meaning to infer any ground of censure, he only requested Gentlemen who were so pathetic on the increase of the public burdens, to recall their recollection to a few of these examples of an increase of salary. He might just refresh their memories by selecting one out of many instances which might be produced. It would be recollected that the new office of Minister at War had been created in 1796, and that the salary of the Under Secretary of this department was fixed at 1500*l.* In four years after it was augmented to 2000*l.* which these Gentlemen would surely admit to be a considerable increase within so short a period. He had already stated that he was ignorant of what were the claims on the honour and justice of his R. H. which rendered the immediate resumption of his dignity impracticable. Among these might be debts due to individuals in foreign countries, the legality of which was not admitted in this country, or the deduction of ten per cent. made by the Commissioners, in the repayment of which he might conceive his honour implicated. If these were considered by the Prince as debts of honour, his determination to discharge them was surely laudable in the highest degree. He professed to know nothing of debts of any other description; but even if with an income reduced for these eight years, from 125,000*l.* to 60,000*l.* a year, there should be found an increase of a few thousand pounds annually above his revenue, he should find no difficulty in giving his vote for the payment of such sums. In giving such a vote, he should not be guided by indiscriminate liberality. While he was ready to admit the fairness of such an increase as arose out of causes, the operation of which every one experienced to a greater or less degree, he should, as a faithful representative of the people, feel it his duty to resist any extraordinary demand on the public. A long series of acts of kindness, on the part of his R. H. had impressed his mind with the warmest gratitude; but at present he appeared in the performance of his public duty. He stood up for the support of the dignity and splendour of his R. H. but he was to be the advocate of his dignity and splendour only so far as they were consistent with the duty which he owed to his constituents. A proposition had been made by Ministers for giving his R. H. an establishment suitable to his station; which, from an official communication, the House were assured was totally inadequate to the end in view. A secret, therefore, was in the possession of Ministers, respecting the causes which rendered it impossible for his R. H. to resume his dignity immediately after the additional grant was conferred. This secret the House had a right to obtain; and it was with this view that he sat down with giving his hearty assent to the motion.

The Chancellor of the Exchequer began by alluding to the proceedings which had taken place on the day when the Report on the message was received. A very simple explanation was necessary to shew that in these proceedings there was no fair ground of censure. If the Hon. Gent. had only re-

mained a few moments after the Speaker had resumed the chair, he would have heard that he had moved for receiving the Report on the subsequent day. This he had been induced to do from respect to his R. H. by avoiding all appearance of unnecessary delay. If, however, he had heard from any one Member any objection to receiving the Report on that day when the House was to go up with the Address, he certainly should have felt it his duty instantly to have yielded to this suggestion. If the Hon. Member had then wished to object, he had it fully in his power; and if he did not choose to urge his objection, then the fault was wholly imputable to himself. Having said so much on this preliminary topic, he adverted to the question immediately before the House. The Hon. Gent. who had introduced the motion, had stated that it was introduced without the smallest communication with his R. H. but was the unbiassed result of individual opinion. This was an assurance which was hardly necessary on the part of the Hon. Member. Knowing, as he did, the sentiments and feelings of his R. H. on this subject, it was impossible for him to conceive that he should have given the motion the slightest countenance or support. Knowing, indeed, the manner in which those sentiments and feelings had been declared, he needed no assurance of his R. H.'s total ignorance of the motion now submitted to the House. He had the satisfaction of stating in the most explicit manner, that every part of the proceedings which led to the proposition which had been unanimously adopted by the House, was unreservedly communicated to his R. H. and had been honoured with his unequivocal approbation. The account as it stood betwixt his R. H. and his creditors, had been prepared and submitted to his inspection. The propositions founded on it had been communicated, and his R. H. had declared that they perfectly accorded with his wishes. If, therefore, his R. H. had condescended to communicate any opinion on the subject of the motion, he had every reason to expect that he himself would not have been overlooked; and as no communication had been made to him, he was fully justified in concluding, that it was a motion to which his confidential friends would not be disposed to give their support. Proceeding to the more direct consideration of the motion, the Rt. Hon. Gent. adverted particularly to an observation made by an Hon. and Learned Member (Mr. Erskine), who spoke second in the debate, that the message of his Majesty ought to be amended, and that the House ought to carry their views further than the proposition of Ministers extended. The Hon. and Learned Member only did Ministers justice, when he declared that no Members in that House could be more anxious for the immediate restoration of the Heir Apparent to the dignity suited to his rank and situation in the community; and that every measure consistent with public duty would meet with their cordial support, if it had this object in view. He was not prepared to contend that the House could not entertain any motion which offered for their acceptance a proposition more extensive than that which was now the ground of a bill which was in its progress through the House. This, however, he had no hesitation in affirming, that any proposition for paying debts of his R. H. not included in the provisions of 1795, could not, consistently with the regularity and independence of Parliament, be received. Even if a vote for the appointment of the committee were now to pass, it was impossible that the House could stir a single step, or come to a single decision, with the view of raising money, without a previous recommendation from the Throne. He could state explicitly to the House, that he had, on the present occasion, received no such recommendation; and if the Hon. Gent. had moved for a committee to grant a sum for the payment of any debts contracted since 1795, he should have felt it his duty to have opposed it. It never was the intention of any one of his Majesty's Ministers to move for any proposition, the object of which was to provide for the payment of any debts due by his R. H. beyond those, the payment of which was provided for by Parliament. It was not that the Members of the House, or individuals, might not admire that high sense of honour, or of justice, which might induce him to make their payment an object indispensable previous to the resumption of his dignity; but in their aggregate capacity they could accede to no grant for this purpose, without compromising the dignity and the consistency of Parliament. Without this inconsistency the House could admit the validity of no debts contracted since that period, since to admit them would be to cast a suspicion on that steadiness of opinion for which, throughout his reign, the Sovereign had been distinguished; and to suppose that there were any debts not provided for by the act of 1795, would be to impeach the accuracy of the account then taken; but the accuracy of the account continued undisputed. As to the debts due to persons in foreign countries, he had only to say, that their validity had been already determined on, and they had been pronounced to be of a nature for which payment could not be demanded. With respect to all other claims, he had to state unequivocally, that they were wholly provided for, with the exception of one debt, which his R. H. had taken upon himself. Proceeding to the consideration of the claims of the Prince on the dutchy of Cornwall, he observed that he was not presumptuous enough to think that he possessed sufficient knowledge of the subject to enable him to form a decisive opinion. This, however, he

might be permitted to say, that they were held doubtful by some of the first law authorities in the country. The Noble Lord at the head of the law department of this kingdom had not yet pronounced a decided opinion; but as often as he had found it necessary to speak on the subject, his sentiments had been unfavourable. With regard to the opinion of the Noble Person presiding over the law department in Ireland, he would not now state what was his opinion: thus much, however, he could say with safety, that Gent. who contended for his R. H.'s right were not entitled to satisfy their opinion by the idea that such high authority was on their side. Having gone over these points, the Rt. Hon. Gent. reverted to some calculations relative to the amount of the supposed claims of his R. H. These did not at all differ from the accounts we have already given (see p. 1291 *et seq.)* in our detail of the proceedings on the consideration of the message. In conclusion he stated, that as there was every reason to think that his R. H. was perfectly satisfied with the proposition agreed to on a former night, and as the appointment of the committee might be productive of great inconvenience, he should strenuously resist the motion.

Mr. Fox expressed great surprise at hearing the present described as an indirect question. Of all the motions he had ever heard discussed in Parliament, the present appeared to him one of the most simple, and the most plainly deducible from his Majesty's message. If the motion was, however, conceived to be of this direct nature, it had been attempted to be got rid of in a very odd way, by resorting to an expedient which was confessedly indirect, and that was by moving the previous question. The Rt. Hon. Gent. who spoke last had started several objections to the motion. Of these objections the most striking were, that it was impossible to proceed in the inquiries which the proposed committee was to pursue, or at least to found any measure on the Report, without previously receiving the recommendation of the Crown. To this objection the answer was easy. The motion, in the first instance, had not any direct connexion with any grant for raising money. It was besides to be considered, that the general constitutional principle to which the Rt. Hon. Gent. had referred admitted of innumerable exceptions. In every session it was almost unnecessary for him to remind the House, that a variety of measures were adopted in consequence of particular motions, which in their consequences involved a grant of money; and this too without any previous recommendation from the Crown. The present motion was indeed one which obviously resulted from the words of the message. He did not pretend to quote the express words, but they generally conveyed the idea that such an establishment should be formed for his R. H. as would enable him to resume the dignity adequate to his illustrious station. For this purpose, the annual sum of 60,000*l.* had been proposed by his Majesty's Ministers. A communication from the Prince had stated that this sum was, in the present situation in which he was placed, incompetent to this object; and if Gentlemen, on this ground, thought the provision inadequate, he begged leave to ask whether, in inquiring into the cause of this incompetency, they were not following up and obeying the object and spirit of the message? On a former day, 60,000*l.* had been voted by the House for the re-establishment of his R. H.'s splendour and dignity. From the highest authority it had been stated to the House that this sum was inadequate, and therefore the House had a right to know what circumstances prevented the resumption of that establishment which was so much the subject of general desire and expectation. This, indeed, had been put in so clear a point of view by an Hon. Gent. (Mr. Tierney) under the gallery, that it was unnecessary for him to trespass long on the attention of the House. In the message of his Majesty, the House were apprized of his anxious desire that his R. H. should, as soon as possible, be placed in a situation to resume his full establishment. The Prince had unequivocally stated, that certain circumstances operated as obstacles to the resumption of his dignity. What therefore was a more distinct right, or a more plain duty, than that the House should be apprized of the nature of these obstacles? Was it thus to be understood, that whatever the nature of these obstacles were, they were immediately to be removed, and that the Prince was, as a matter of course, to appear in all the splendour in which he ought to appear as Heir Apparent to the British throne? Certainly no such conclusion was fairly to be drawn. All that was contended for was simply, that every obstacle should be removed, if it could be removed by the Members of the House in a manner consistent with the exercise of their public duty. If the obstacles were of that nature which could be removed without materially adding to the burdens of the people, he should certainly feel strongly inclined to vote for discharging these incumbrances, though he would not go so far as a Rt. Hon. Gent. to whose sentiments he had particularly alluded. But what the real nature of the obstacle was he had not the means of discovering. A Rt. Hon. Gent. (the Chancellor of the Exchequer) had said, that the House were not at liberty to suppose that these obstacles arose from the accumulation of any new debts, because the House had no right to presume that the amount of the debts of his R. H. was greater than described in the accounts prepared by the Commissioners in 1795. This seemed to him a most strange kind of assertion, and, with a very small de-

gree of ingenuity, it appeared easy to prove that it was fundamentally erroneous. The Hon. Gent. was, however, quite shocked at the idea. In 1795, the amount of the Prince's debts was calculated at 630,000*l.* and beyond this sum no one is to venture to estimate their extent. The language of the Rt. Hon. Gent. was singular. The House were now to be told that they were not even to suppose the existence of any excess beyond this estimate, and this too at a time when the existence of such an excess was fully ascertained. The existence of some difference betwixt the estimate and the actual amount was naturally to be accounted for. This was found in domestic economy, even in the smallest establishment. It was therefore not to be wondered at, that under the circumstances in which the amount of the Prince's debts was ascertained, an excess to an amount considerably beyond the original estimate should be found to exist. If, therefore, such an excess existed, on the face of papers and documents already before the House, it was not fit that speculation should be left continually at work on this subject. The whole of the business ought to be fully and unequivocally explained. As to the claims which his R. H. possessed on the public, a good deal had been advanced, in the course of the discussion to which the matter had given rise. On the subject of the right of the Prince to the arrears of the dutchy of Cornwall, the House had heard from a Rt. Hon. Gent. (the Chancellor of the Exchequer), that the preponderance of opinion was hostile to the right. But it appeared that a series of continual set-offs were the principal arguments against the right. Was it, however, to be tolerated, that if the matter had been brought to a fair discussion betwixt the Prince and his Royal Father, the claim of the expense of education might have been set up and successfully pleaded? Such a plea never could have proceeded from the real lovers of monarchy. The Hon. Member illustrated this part of the subject with his usual force of reasoning and strength of argument. He ridiculed the argument, that if the Prince's claims had been fully considered, they would have been found nugatory. The simple statement of the case was, that the Prince was anxious for the prosecution of his claims; that the matter was nearly brought to an issue, and at that moment Ministers had consented, by offering a considerable equivalent for the suspension of the process, though they knew that the party to which this equivalent was offered, had not the slighest chance of success in the prosecution of these claims. The conduct of the Prince on this occasion formed a striking contrast to every thing like a dishonourable compromise. Sensible of the importance of supporting an establishment suitable to his rank, he gratefully received the proposition which the House, in its liberality, had adopted. There was, however, another consideration not less important, and this his R. H. had attended to with still more scrupulous care. With thankfulness he had received the offer which the unsolicited liberality of Parliament had conferred; but it was equally due to his own character, and to the character of Parliament, to let the public clearly understand the situation in which their liberality would place him. He had cautioned the House and the public against the indulgence of expectations which at this moment it was impossible to realize. It was impossible to conceive any line of conduct more calculated to raise his R. H. in the opinion of every one capable of appreciating the excellencies of character. The Hon. Member, after dwelling a good deal on this idea, proceeded to state and to compare the various sums advanced in behalf of his R. H. at different periods. He shewed, that many of the incumbrances of his R. H. were the effect of unavoidable causes, and were the natural result of circumstances peculiar to his situation. At this period, when it was professedly the intention of Parliament to ensure the comfort and support the dignity of his R. H. according to the terms of his Majesty's message, it was essential that he should be fairly and honourably dealt with. If he was to be placed in that fair and unembarrassed situation every loyal individual so anxiously desired, it was but an act of common justice that the nature of the obstacles which obstructed this most desirable arrangement should be satisfactorily ascertained. He saw no better way of ascertaining their nature, than by the committee which had been proposed, and therefore it had his decided support.

Colonel Grosvenor warmly supported the motion, and earnestly hoped that something might immediately be done to enable his R. H. to resume that kind of establishment in which his birth, and the nature of the constitution, required him to be placed.

Sir W. W. Wynne was of opinion, that throughout the whole of the transaction his R. H. the Prince of Wales had been extremely ill used. He anxiously hoped that the Hon. Gent. who brought forward the present motion would exert his best endeavours to accomplish the object which it had in view. The plan proposed by the Rt. Hon. the Chancellor of the Exchequer must, in his mind, prove inadequate to place his R. H. in that situation in which it seemed to be the general wish of the House and of the nation that he should be placed; for it should be recollected that the style and splendour of a Prince of Wales's establishment should be suitable to the dignity and grandeur of the United Kingdom.

Lord Stanley rose merely to put a question, Whether all the measures which were now brought forward by Ministers, respecting

the affairs of the Prince of Wales, had received the complete approbation of his R. H.? He, for one, understood it to be otherwise, or, at least, that some alteration, different from what he expected, had taken place in the manner in which the communication respecting his situation had been made to the House.

The CHANCELLOR of the EXCHEQUER declared that no alteration whatever, of a material nature, had been made in the statement which his R. H. had approved of. The only omission, if any occurred, was of some expressions contained in the communication of 1783, which were omitted because inferences might now be drawn from them, for which the present case left no room.

Mr. ERSKINE observed, in explanation, that he was wholly ignorant of the tendency of the Hon. Gent.'s motion, until it was stated to the House. The object of the motion seemed to him to be, that a committee be appointed to inquire into the amount of the sum which may be requisite to enable his R. H. to resume his household, and to offer that sum to his Majesty, in order that his Majesty might accomplish his wishes respecting the renewed establishment of his R. H. Upon this question he should give his vote as an independent Member of Parliament, and not as any way influenced by the situation which he held under his R. H. Much had been said about the opinion of our legal authorities respecting the claims of the Prince to the revenues of the dutchy of Cornwall during his minority. It happened that he was never absent, except once, when that question was under the consideration of the House; but he might venture to say, that no one professional Gentleman had given a decided opinion against the title of his R. H. to the revenues of the dutchy of Cornwall; not even the Learned Lord who now so ably presides in his Majesty's court of law. But all these opinions, to whatever side they might incline, were wholly foreign to the present question. It was his opinion that the House should enable his Majesty to fulfil his paternal and Royal intentions respecting his son's situation; and that if the specific sum proposed was not sufficient to enable his R. H. to support and maintain his due dignity, the House should come forward and offer his Majesty the further means of accomplishing an object which his Majesty, the House, and the nation, seemed equally to have at heart.

Mr. CANNING said, he was not disinclined to vote for the motion; but in voting for it, he did not intend to pledge himself to concur in the recommendation which might be suggested by the committee. His opinion might in a great measure depend upon the circumstances which the report of that committee might disclose. As to the question itself, whatever might be the opinion entertained by some Gentlemen, he could not help considering the Prince as completely passive in it. The proposal did not come from the Prince, but originated in the advice of Ministers. Whether, therefore, the application was ill timed or not, or whether it was consistent with the regulation of 1795, he should not now consider: he was desirous that a vote should be given on the present question, without looking backwards or forwards, but merely to the present question itself. The Rt. Hon. the Chancellor of the Exchequer has proposed a certain sum, namely, an addition of 60,000*l.* or 73,000*l.* to the income of his R. H. That sum is found inadequate to fulfil the object for which it was proposed, and here his doubts began; for he felt anxious to know what was the precise object to be obtained, and what was the amount of the sum requisite for its accomplishment. On this point he was not prepared to deliver an opinion; but when he was informed of the sum to be proposed, and of the object to which it was to be applied, then he might be able to say whether the object was worth that sum or not. All he now knew was, that the sum proposed was inadequate to the attainment of the object the accomplishment of which the House had in view. But until the precise amount of that sum was ascertained, he should not pledge himself to any particular measure.

Mr. FULLER, in explanation, very warmly espoused the motion, and assured the House that nothing should deter him from giving it his most decided support.

Mr. GOLDING expressed his conviction, that every means should be afforded to his R. H. to resume, as as soon as possible, the splendour and dignity suitable to his birth and rank.

Mr. SHERIDAN, after the manner in which this question had been deprecated, and the manifest indisposition that had been shewn on the other side to enter into it, thought it unnecessary to assure the House that it was not his intention to detain them long. Unquestionably if a division were to take place, he should vote for the original motion; but so little real difference of opinion did he see, that he could have no apprehension of coming to a division. There was but one object professed on both sides, and he was sure the manner of attaining that object, though it might, in the first instance, strike Gentlemen differently, would not ultimately be a cause of dissension. From the tardiness of the Rt. Hon. Gent. (the Chancellor of the Exchequer), and those about him, to reply to the arguments of his Hon. Friend (Mr. Fox), he had reason to conclude that they were ready to do that justice to his R. H. to which he is undoubtedly entitled. His R. H. upon the gra-

cious intention conceived by his Majesty, and communicated to the House by his Majesty's message, with the advice of his law officers, adopted the resolution of abandoning his claims to the dutchy of Cornwall. There was no doubt but his R. H.'s advisers, as well as the one who had a seat in that House (Mr. Erskine), as the one who had not (Mr. Adam), had given his R. H. the advice most consistent with his dignity. But it was not for the House to consider that he did not go on the authority of private communications; he was bound as a Member of Parliament not to do so. Was there any reason to believe that his R. H. was indifferent to the restoration of his rank and state, or to the restoration to the same rank of that family which had shared in his obscurity? Let Gentlemen look to the communication made by his R. H. and they would there find it acknowledged that he was not indifferent. This was not information from private authority: the House had it from his R. H. himself; they had it on the face of their journals. All opinions were therefore agreed as to the object that was to be attained. His Hon. Friend, if the form of his motion produced any difficulty, would, he was sure, not hesitate to change it to the shape that would be the least exceptionable. Let it be said that the House would consider of it. The Rt. Hon. Gent. (the Chancellor of the Exchequer) had said his R. H. was in a situation in which it was not to be endured that he should continue one hour longer; that he was in a situation in which he could not have that interchange of hospitality with the noble families of the country, which it was most material that the Heir Apparent of the Crown should keep up; that he could not promote the arts, patronzie talent, or contribute to the advancement of those various laudable institutions for which the present time was so remarkable. The House appeared to feel as the Rt. Hon. Gent. did; but now, as something more was required to accomplish the object, was the feeling of the House and the Rt. Hon. Gent. to be altered? We were told that those things must be endured for which there was no remedy; but if there was a remedy, why should a great and confessed evil be longer endured? His attention to this subject had lately led him to look over what had been done in it in former times. He had found in the former debates a great deal of asperity, which he was sorry to find mingled with such a discussion. He was pleased to find that nothing of that kind had entered into the present discussion, with the exception of one Hon. Gent. (Mr. Johnstone), whose accuracy in figures had been complimented by the Chancellor of the Exchequer, though that accuracy had commenced in miscalculation, and ended in false inference. That Hon. Gent. declared himself sorry that a compromise had taken place: he, on the contrary, rejoiced at it, because much disagreeable consequence might result from the prosecution of the suit, and the legal advisers of his R. H. who would give no advice inconsistent with his honour. The Hon. Gent. conceived it an insult to the public to suppose that there is any balance due to his R. H. on the arrears. He was as little inclined to insult the public as the Hon. Gent.; but he could not conceive the public so irritable as to fly into a rage at being called on to enter into an account on a matter in which the best informed persons were of opinion that there was a large balance against it. He gave the public credit for more justice and less irritability than the Hon. Gent. The indelicacy of entering into such an account had also been mentioned. He knew of no indelicacy in it, except, indeed, in the set-offs which Gentlemen made against the revenues of the dutchy. Was the Prince to be told by his Royal Father, "It is true, I owe you a large arrear accumulated during your minority, but I have to deduct the expenses of your nursing and education: there is so much for your cradle, and so much for your coral, and so much for your pap, and so much for your books?" The whole of the indelicacy was in this: the Prince of Wales had shared the same education and the same maintenance which had been enjoyed by the Duke of York. They were both maintained out of the Queen's privy purse, and it was on the occasion of that maintenance that Parliament had made so large and liberal a grant for her Majesty's service. The Hon. Gent. (Mr. Johnstone) said, that the settlement made in 1795 ought not to be changed, and that there was no reason why it should not be continued in 1803. That may be a good argument, but it came rather too late; it ought to have been advanced last week, when the original grant on his Majesty's message was proposed. The Hon. Gent. held his tongue then; and now, when his Majesty's message had recommended the object to the House, when the Chancellor of the Exchequer had stated that the object was so important and so desirable as to admit of no delay, when the House assented to the principle, and seemed to feel no other objection to the measure proposed on it, than that it did not go far enough, the Hon. Gent. came out with this argument, which went against the bill brought in on the resolution of the House in every stage. The Hon. Gent. adduced a curious reason for not doing more now than was done in 1795. He said it was particularly necessary that the Prince of Wales should keep up a greater state than in 1795, and have more trappings and Lords of the Bedchamber, &c. because there was then a great number of Jacobins in the country. Thus, Sir, said Mr. S. though we did not know it before, and I am afraid the doctrine will not find many adherents among us even now, the Jacobins are the greatest supporters of the splendour of the Royal Family; and as we are told in the fable of the two owls perched on a ruin, who

said to each other when the tyrant who caused the devastation passed by, "Long live King Massand, for while he reigns we shall have plenty of ruined villages;" so our Royal Family should say, "Heaven send us plenty of Jacobins, for they are the best support of our rank, and state, and dignity." An Hon. Gent. opposite (Mr. Cartwright), and the worthy Baronet near him (Sir Robert Buxton), said that trappings were of no importance, that virtue was every thing, and they deprecated the assumption of rank and state accordingly. He had no objection to this doctrine, if the system so early established, so invariably maintained, and handed down to us by our ancestors, was proved to be foolish. But let the rule be general, let not the splendour of one be curtailed, while that of another is extended. If, as a great man in this country (the late Earl of Chatham) had said, "Every feather of the royal bird aids his flight," though he should not go to the length that Noble Lord did, in saying, "that when they drooped, or were shed, the bird would fall to the ground;" yet all should be cautiously preserved. In order to bring this contending system home to Gentlemen's minds, let it be applied to the House—let it be supposed that the Speaker possessed sufficient dignity, and commanded sufficient respect by those virtues which it was acknowledged he possessed; let the chair be removed; let the other badges be stripped off; let that bauble (the mace) be taken away; let the fine house that was building for him, in which he hoped he would soon entertain the Members with his accustomed hospitality and splendour, be demolished; let the state coach be laid down, and instead of proceeding in it to St. James's, attended by a grand procession of Members in their private coaches, let him go on foot with the addresses, covered with a warm surtout, and honoured with the privilege of an umbrella in case of rain—*(Loud bursts of laughter.)* Let the Judges be conducted by no sheriffs, or sheriffs' attendants, to the assize towns; let the Chief Justice go down in the mail coach, and the puisne Judges content themselves with travelling as outside passengers.—*(A loud laugh.)* Let the Lord Mayor, instead of coming to Westminster Hall in the state barge, accompanied by the several companies in their state barges, let him come in a plain wherry, without any attendants; and instead of going back to feast on turtle at Guildhall, with the great officers of state, and foreign ambassadors, let him content himself with stopping on his way back, and taking a beef-steak at Dolly's chop-house.—*(Loud laughing.)* It was not easy to have done with citing instances in which the abridgment of their happiness, which foreigners admire, but which, according to these Gentlemen, are not quite simple and unnecessary in the Prince of Wales, may be effected with great saving to the public. The Prince of Wales was not indifferent to the resumption of his rank; he should be sorry he was, as he should not then have the high opinion of him that he had. The House may therefore well go a step beyond Ministers. It was no consideration that Ministers had done what they had, nor even that the Prince had abandoned his claims on the revenues of Cornwall in consequence. Let the House make its grant for the attainment of the object desired without reference to any of these things. The debts contracted since 1795 might, it was true, be brought forward as debts which the Prince of Wales ought to acknowledge, but which he should be sorry to make known. There would be that difference between money voted for these debts, and that voted on former occasions, that no person would claim it.—*(A laugh.)* There was the Landgrave's debt also, unless it could be supposed that he, like those creditors, contrary to law, would fly from payment, except it was clandestine.—*(A laugh.)* It surely would have been much better for the Commissioners, in the first instance, to have come to Parliament for an additional grant, when the original sum was found insufficient, rather than strike off ten per cent. indiscriminately. It could hardly be surprising that his R. H. should now wish to make amends for their inconsiderate deduction. He would hardly be suspected of having any interested view in supporting this motion; and certainly he would not be suspected by those who recollect the declaration he made at that time. But he thought it a weak thing, that after we had voted away 250,000,000*l.* for the support of the thrones of Europe, an object in which we failed, we should not give 100,000*l.* to maintain the dignity of our own, an object which we could not fail to accomplish.

Lord Hawkesbury contended, that whatever might be the interpretation put upon the conduct of Ministers on the present occasion, it would evidently appear that it was actuated by no other motive but a strict regard to the duty which they owed to his Majesty, to the Prince, and to the public; and that if they did not concur in the present motion, it was because they did not imagine it to be calculated to accomplish the object which the House had in view. But these were not the points to which he was more particularly desirous to call the attention of the House. His object in rising was to observe on the manner in which some Gentlemen seemed to misunderstand his Majesty's message relative to the present question. There was nothing in that message that went to shew, that upon the sum of 600,000*l.* being granted to the Prince of Wales, his R. H. would be obliged, on the payment of that sum, immediately to resume his household, and the state and splendour that should accompany it. The words of the message warranted no such meaning: the message merely said, "That his Majesty having

taken into consideration the period which had elapsed since the adoption of those arrangements which were deemed by the wisdom of Parliament to be necessary for the discharge of the incumbrances of the Prince of Wales, &c. &c. recommends the present situation of the Prince to the attention of the House."—And again, that "Notwithstanding the reluctance and regret which his Majesty must feel in suggesting any addition to the burdens of his people, he is induced to resort, in this instance, to the experienced liberality and attachment of his faithful Commons, in the persuasion that they will be disposed to take such measures as may be calculated to promote the comfort and support the dignity of his R. H. the Prince of Wales." Now, in conformity to this Royal recommendation, Parliament had agreed to grant his R. H. the sum of about 70,000*l.* to relieve him from his difficulties, and to promote his comfort; but nothing appeared either in the message, or the proceedings of Parliament upon it, which made it a necessary consequence that the Prince should immediately resume his household. The Noble Lord then went into a defence of the measure proposed by his Rt. Hon. Friend (Mr. Pitt), and adopted by Parliament in 1795, and contended that the present measure was grounded on the same principle. It was true, indeed, that his Rt. Hon. Friend (Mr. Addington) was now desirous that his R. H. should be restored to the situation in which he stood previous to the arrangement in 1795; but with all the respect which was due to the feelings of his R. H. (feelings for which the House must entertain but one sense), yet was the House prepared to take cognizance of debts, with the nature of which the House could not be supposed to be acquainted? or rather, on the contrary, would not their wisdom dictate to them that they should not open any new account of any debts whatever? and in that opinion they surely would not press upon his R. H. the necessity of resuming his household, until these debts, which he felt to weigh upon his honour and justice, were fully discharged. This was the spirit and tendency of the measure now proposed by his Rt. Hon. Friend (Mr. Addington) for the alleviation of the incumbrances under which his R. H. laboured; and he trusted the prudence of the House would direct them to adhere to the settlement of 1795, and not to open any new account for debts, of the nature of which they could not judge as Members of Parliament, and which should be left entirely to the honour and prudence of his R. H.

Sir John Wrottesley declared, that after the most minute consideration he could bestow on the merits of the motion, he could not support it unless some farther proofs were adduced to satisfy his mind. There appeared to him an ambiguity about the whole of the business which called for explanation. In whatever way he looked at it, he saw much subject for regret; and he was firmly convinced that another system should be adopted consistent with the dignity of his R. H.'s character, and the justice due to his claims. When it was contended in favour of the measure, that both his Majesty's Ministers and the Prince's servants were perfectly of the same opinion, he begged leave to say, that their agreement was not a satisfactory ground to induce the House to vote with them. He thought it his duty to oppose the previous question, and felt no difficulty in declaring that a further inquiry into a subject of so much importance was absolutely necessary.

Mr. W. Smith said, that he thought not only a great ambiguity, but a great contradiction (if he might be allowed to use the expression), existed in what had been said. It was his wish that an inquiry might be gone into. When Gentlemen talked of the Prince living in a proper style, they meant, of course, that he should live as became the Heir Apparent to the Crown. A Rt. Hon. Gent. not now in his place, had, on a former occasion, moved that the income of his R. H. should be 125,000*l.* a year. He had also, at the same time, moved, that 60,000*l.* a year should be applied to another purpose. For his own part, he thought that the true dignity and true comfort of his R. H. were inseparable. The Hon. Gent. concluded by stating, that it was better to examine the question as it really stood. He was against the previous question.

Lord Castlereagh said, that there were two grounds of objection to the inquiry: first, that it would be indelicate, because no distinct grounds had been stated from the Prince. The second was, that it was receding from the principle laid down by Parliament. His Lordship concluded by paying some very warm compliments to his R. H.

The question was very loudly called for. The House now divided.—For the previous question 184—Against it 139.—Majority 45.

List of the Minority.

Andrews, M. P.	Bagenal, W.
Aubrey, Sir J.	Barlow, F. W.
Amyatt, J.	Barlow, H.
Adair, R.	Boucherett, A.
Alcock, W. C.	Burdett, Sir F.
Acheson, Hon. A.	Barclay, G.
Baring, Sir F.	Bligh, T.
Bernard, T.	Bampfylde, Sir C.
Brogden, J.	Bouverie, Hon. E.
Birch, J.	Cartwright, W. R.
Beaumont, R.	Creevey, T.
Bunbury, Sir C.	Canning, Rt. Hon. G.
Bent, R.	Cowper, Hon. Spencer
Barclay, Sir R.	Calvert, N.
Butler, Hon. J.	Caulfield, Hon. H.
Butler, Hon. C.	Clephane, W.

Curzon, Hon. R.	Manners, Lord C. S.
Coke, T. W.	Milford, L.
Carberry, Lord	Moore, G. P.
Courtenay, J.	M'Dowall, Colonel
Dillon, Hon. H.	North, Dudley
Dundas, Hon. L.	Northey, W.
Dundas, Hon. C.	Noel, G. Noel
Dundas, Hon. G. H.	Newcomen, Hon. J.
Dundas, C.	Ord, W.
Dent, J.	Osborne, J.
Dupre, James	Obrien, Sir E.
Erskine, Hon. T.	Odell, W.
Elford, Sir W.	Oliver, C. S.
Falkiner, F. J.	Paget, Lord
Fox, Hon. C. J.	Porter, G.
Fonblanque, J.	Petty, Lord H.
Fuller, J.	Porchester, Lord
Fitzpatrick, Rt. Hon. R.	Palk, Sir L.
Folkstone, Lord	Palk, W.
Forrester, Cecil	Potter, P.
Fellowes, R.	Paget, Hon. E.
Grosvenor, T.	Ridley, Sir M.
Gower, Lord G. L.	Russel, Lord W.
Giles, D.	Ross, Sir C.
Graham, Colonel	Richardson, S.
Gunning, G.	Stanley, Lord
Huntingfield, Lord	Spencer, Lord R.
Hurst, J.	Sheridan, R. B.
Hiliard, E.	Smith, T.
Hughes, L. H.	Smith, A.
Harrison, J.	Somerville, Sir M.
Hamilton, H.	Somerset, Lord C.
St. John, Hon. St. A.	Sibthorpe, H.
Kensington, Lord	Shum, G.
King, Hon. E.	Shakespeare, A.
Lemon, J.	Smith, W.
Ladbroke, R.	Tyrwhitt, T.
La Touche, R.	Tarleton, B.
La Touche, J.	Taylor, C.
La Touche, P.	Thellusson, C.
La Touche, D.	Thornton, T.
Lubbock, J.	Tierney, G.
Lemon, Sir W.	Vereker, C.
Lenox, C.	Vaughan, H. J.
Lambe, Hon. P.	Wrottesley, Sir J.
Lawley, Sir R.	Wynne, Sir W. W.
Macmahon, I.	Weston, C. C.
Milbanke, Sir R.	Willett, J. W.
Mathew, Lord	Ward, Hon. J.
Milner, Sir W.	Wynne, C.
Monckton, Hon. E.	Walpole, Hon. G.
Madocks, W. A.	Wharton, J.
Manners, Lord R.	Wilkins, W.

HOUSE OF COMMONS.

Monday, Mar. 7.—(See Minutes, p. 403.)

[IRISH REVENUE.]—Mr. CORRY moved the second reading of the Irish custom-duty bill.

Colonel BAGWELL said, he was in general satisfied with the explanations which he had received from the Rt. Hon. Gent. upon the subject of these duties; but still there were certain points upon which he required some further information, particularly with respect to the schedule of duties: he wished to know whether they were the same as they were the last year?

Mr. CORRY said, he was always happy to give any Hon. Member the fullest information in his power. Upon a former occasion, he had stated to the House the differences which subsisted between the duties contained in the present schedule, and in that of last year. One of the alterations which it contained arose from a wish, on the part of Government, to afford every possible facility and accommodation to the merchants. He stated, that some of the late duties were what were termed *ad valorem* duties, the others were rated duties; the consequence of which was, that merchants were obliged to make two entries of the articles they imported—that is to say, an entry according to the rate for the old duties, and according to the value for the new ones. Now, it was proposed in the present bill to convert the *ad valorem* duty into a rated duty for the convenience of merchants, who would now only have to make one entry. With respect to the duties upon drugs, they were in some instances raised, and in others reduced; and in cases where there were fractions of a penny, they were generally raised to the integral sum. With regard to the duties on licenses, they were, as he had before stated, in some instances raised. These were the principal alterations which were contained in the schedule; but he could not sit down without expressing his thanks to the officers employed in this business, for the exertions they had made on this occasion.

Colonel BAGWELL thanked the Rt. Hon. Gent. for the explanation he had given, but said it was not altogether satisfactory: he wished to know what were the additional duties that were laid on. He understood that there was a great increase in the duty upon the distilleries.

Mr. CORRY said, that the duty upon the licenses for rectifying spirits was in some instances raised from 2*l.* 10*s.* to 5*l.*

Colonel BAGWELL said, he was then justified in asking for further time to consider this subject, because it appeared that some of the duties were doubled. The distilleries of Ireland were carried on to a very great extent, and were in very great perfection, particularly about the city of Cork, where they made brandy, rum, and even liqueurs, so as scarcely to be distinguished from those which were imported. The distilleries of Ireland were therefore a very material object. But there was another subject upon which he wished to say a few words, and that was with regard to the tax on windows. The Rt. Hon. Gent. had stated, that the regulations for the collection

of that duty were merely to subsist during the war, and that they were of course no longer in force. He had looked diligently over the different acts of Parliament enacting this duty, and he found that they had been regularly continued in all the acts, and therefore he conceived that they were now in force.

Mr. CORRY, in reply, stated, that the regulation to which he alluded certainly was not now in force. When the duty was first laid on, it was thought necessary to propose this clause for the collecting of the tax, because it was the avowed purpose of the discontented people in Ireland to adopt every means in their power to injure the revenue; but the clause containing these regulations stated, that it should continue in force for three years, provided the war should continue so long. The Hon. Gent. might therefore make himself perfectly easy upon this subject; but at all events, this bill had no reference to the mode of collecting the duties; that would be the subject of other bills, and when they were introduced, the fullest time would be given for examination.

[ESTABLISHMENT OF THE PRINCE OF WALES.]—The CHANCELLOR of the EXCHEQUER moved the third reading of the Prince of Wales's annuity bill.

Mr. KINNAIRD said, he wished, before the bill passed, to make a few observations; not that he wished to oppose the bill, for such were the sentiments he felt for the Royal personage to whom it related, that he wished it to pass with the greatest dispatch. He entertained an opinion upon this subject, he believed, in common with many Gentlemen in that House, and with many persons in the country, that the Minister, in bringing down the message, and in bringing in this bill, had made a very advantageous bargain for the country. But though that House ought certainly to take care of the interests of the people, they were also the protectors of the rights and interests of the Prince of Wales. He rose now for the purpose of stating, that although he voted for this bill, it was with a protest that he considered it as not doing above one half of what they were pledged to do by the answer which they had returned to his Majesty's message. He therefore protested against this bill being considered as a definitive arrangement upon the subject, because it did not satisfy the intentions of his Majesty, or of the Prince. He wished to explain what he meant by using that expression. The object of the message was, that such measures should be adopted as would promote the comfort and support the dignity of the Prince of Wales. Now this bill, though it would tend to promote the comfort, certainly would not support the dignity of the Prince of Wales. It would, in his opinion, have been more candid, if, when the Minister brought down the message, he had stated what the message of the Prince of Wales had communicated to the House, viz. that the measure now proposed would not enable his R. H. to resume his dignity: he protested, therefore, against the bill, as not being a sufficient answer to his Majesty's message. When he said the Prince was not satisfied with this measure, he did not allude to the personal feelings of his R. H. He meant that the friends of the Prince, that the public, were not satisfied with it. After the example of economy which the public had observed on the part of the Prince, he was sure they would feel gratified in seeing him restored to his proper dignity and splendour. He conceived that the public feeling was not satisfied, and that they called for something more than was proposed in the present bill. Upon these grounds he contended that the present bill was not sufficient, and therefore he laid in his claims not to be considered, when he voted for this bill, as precluding himself from voting for any further measure that might be brought forward.

Sir WILLIAM DOLBEN begged leave, before the bill passed, to submit to the House a motion which he intended to have made on Friday last, if the House had not adjourned so suddenly. He wished to suggest for the consideration of the House, whether, when they were making this provision for the Prince of Wales (of which he highly approved), they ought not to come to a resolution, which, in his opinion, would tend most essentially to support the dignity and comfort of his R. H. He was sure the Prince of Wales would never enjoy the outward splendour which it was proposed to restore him to, with that real and true comfort which he ought to do, unless his Royal consort had some share in that mark of attachment which the House was now about to shew to his R. H. He conceived there could be nothing improper in this proposition, because his R. H. had expressed himself ready to submit himself to the wisdom of Parliament, and had, with that noble ingenuousness which always marked his conduct, declared that he could not at present resume his dignity. The object of the motion which Sir William said he should submit to the House would be, to appropriate a small part of the annuity of 60,000*l.* a year, which it was proposed by this bill to grant to his R. H for the better establishment of her R. H. the Princess of Wales. His R. H. had supported his retirement from the proper dignity of his situation, in a manner that entitled him to general admiration; and he was sure that Royal personage would think that one of the first calls upon his honour would be, to take care that the Princess should have some share in the bounty of that House. She had also supported her retirement with the greatest dignity, and therefore

was fully entitled to that mark of respect and attachment which he now proposed to shew. In doing so, he was sure they would do that which would be agreeable to his Majesty; they would prove themselves the true friends of his Royal house, and also give the strongest mark of respect and attachment to the Prince of Wales. He should therefore propose a clause for appropriating a small part of the annuity of 60,000*l.* a year for the better establishment of the Princess of Wales. The sum he should propose to appropriate for that purpose, would be 6000*l.* a year: he was sure the adoption of that motion would be agreeable to the whole nation. He concluded with moving a clause to that effect, by way of rider.

Colonel STANLEY said, he rose with the greatest pleasure to second this motion. Her R H. had conducted herself, ever since her arrival in this country, in the most exemplary and meritorious manner. He hoped most sincerely that the House would adopt the motion, and that they might have an opportunity of paying their tribute of admiration for her conduct.

The CHANCELLOR of the EXCHEQUER said, he hoped his two Hon. Friends would not persist in this motion, which he was convinced was made with the best motives. With respect to the virtues and conduct of her R. H. the Princess of Wales, there was, he was sure, but one sentiment in that House and in the country. But it was their duty to recollect what was due to the Royal person to whom this bill alluded, and whilst they were giving him a proof of respect and confidence, he hoped they would not imply, by adopting the motion now proposed, the possibility of their entertaining a suspicion of his conduct: for the adoption of this proposition would certainly imply a doubt of that which the House ought not to doubt. If, therefore, the Hon. Baronet would not consent to withdraw his motion, he should feel himself bound to oppose it.

Sir WILLIAM DOLBEN said, if he thought the clause he had proposed tended to imply the least doubt of hi R. H.'s conduct, he certainly would be the last man in the House to propose it. He had made the motion upon the ground, that his R. H. had thrown himself entirely upon the wisdom of Parliament; and he thought his R. H. had rather that this measure should proceed from a resolution of that House, than that it should be his own act. It was upon that ground, and because he conceived it to be a debt of honour due from that House to the Princess, that he made the motion.

Mr. MARTIN (of Tewkesbury) said, he highly approved the motion, and he was glad that there were Gentlemen who had spirit enough to bring it forward.

Mr. SHERIDAN said, he was surprised at the expression used by the Hon. Member, as he could not conceive that any spirit was necessary to bring forward this motion; he was also surprised that there had been introduced into this debate any thing like warmth of language or vehemence of gesture [Mr. Kinnaird had, while he was speaking, accidentally struck the Member who sat below him, on the head]. The House, he was sure, must feel the propriety of what had fallen from the Chancellor of the Exchequer, and he trusted that the worthy Baronet would withdraw his motion. An Hon. Member had stated, that the Prince was not satisfied with this measure, but he afterwards explained distinctly what he meant by that expression. The Prince was certainly grateful to the House for this mark of their bounty, and would be grateful for a further mark of it. With regard to the suggestion contained in this motion, he hoped there was no person in that House who supposed that the Prince would resume his dignity without the Princess; and he could assure the Hon. Member that a suggestion of that kind to the Prince was not necessary either from him or from the House; but as the Prince must now continue to apply the same sum of money to the discharge of his debts that he had done for some years, no increase could take place for some time. This, however, furnished another reason why Parliament ought to enable the Prince and Princess of Wales to resume their dignity.

Sir W. DOLBEN then consented to withdraw his motion, and the bill was read a third time and passed, and sent to the Lords for their concurrence.

HOUSE OF LORDS.

Wednesday, Mar. 9.—(See Minutes, p. 403.)

[THE KING'S MESSAGE.]—The order of the day for taking his Majesty's message into consideration being read,

Lord HOBART rose to move an address to his Majesty on the occasion. He observed, that he could not entertain the smallest doubt with respect to the motion which he should have the honour to submit to the House. He felt himself justified in anticipating the most perfect unanimity in the present instance. A communication is made from the Sovereign, that the most extensive military preparations were making on the coasts of France and Holland; and also, that important discussions were pending between his Majesty and the French government, the result of which was very uncertain. In such a situation, he could hardly believe himself justified in supposing

that a difference of opinion could prevail as to the line of conduct proper or necessary to be adopted. In a partial consideration of the subject, he by no means wished to disguise from their Lordships—indeed it was a point of which they must in general be well aware, namely, that there existed reasons for thinking that the state of certain of the French possessions abroad was such as might warrant or call for the preparations that were making by France, independent of any hostile designs which possibly might be harboured by her government; but they must also at the same time see and feel for the situation of their own country; and that, while discussions of the utmost importance are depending, they could not be justified in not taking those precautions which the security and honour of the country required. With respect to any detailed exposition of those discussions, he could hardly think that at the present time any thing of the kind could, with any shadow of propriety, be expected from him. He conceived it sufficient to say, in the present instance, that he saw no necessity for the discussions not terminating satisfactorily; at the same time, it must be perfectly obvious to the House, that it was the duty of Ministers to be prepared for the alternative. It was certainly the earnest wish of Ministers not to see the tranquillity which subsisted between the two countries interrupted; but they at the same time hoped that nothing would be wanting on the part of the country to enable them to maintain that tranquillity in a way consistent with the honour, the security, and the true interests of the British nation, the spirit, the energy, and the resources of which, he doubted not, would be successfully exerted on such an occasion as the present. Under these impressions, he would no longer detain their Lordships, but move an address to his Majesty on the occasion of his most gracious message. The Noble Secretary of State then moved the address, which was couched in the usual form, echoing his Majesty's message, and fraught with assurances of the cordial support of the House.

On the message being read from the Woolsack, and the question put,

Earl Spencer rose, chiefly, if not entirely, for the purpose of signifying his full approbation of the proposition just now made by the Noble Secretary of State. He anticipated with the Noble Lord the most perfect unanimity on the occasion, and felt with him cordially as to the right line and system of conduct which was proper to be pursued on such a crisis as the present. He also felt that in the relative situation of Great Britain and France, there existed circumstances, that, under whatever degree of uncertainty, called for the measures at length resolved upon by his Majesty's Ministers. The present crisis in which this country was involved, he held to be of that importance and magnitude, as to render him confident there was not a man in that House, or scarcely an individual in the country, who would not join in offering to spill the last drop of their blood, or to spend their last shilling, in support of its honour and its most essential interests: for his own part, after the uniform and decided opinions he had so frequently given, as to the relative situation of the two countries, it could be little expected that a firm and vigorous system of conduct should not meet his full assent and approbation. He could not, however, at the same time avoid observing, that he should feel more satisfaction if the Noble Secretary of State had, not only for the satisfaction of the House, but for that of the public and the country, explained a little fuller the situation of the moment, and adverted to those circumstances which have produced such a sudden and marked alteration in the tenour and complexion of his Majesty's councils and measures. He would repeat, that his own opinions on these points had been long formed. He was perfectly satisfied that a system of conduct like that now resolved upon by Ministers, was that most likely to conduce to the preservation of peace, a wish in which all true friends to their country must unite. A system of firmness and vigour was much more likely to ensure the continuance of peace, than that line of conduct heretofore adopted by Ministers. Indeed, in his opinion, the only chance that now remained for the preservation of that blessing, was the effect of the measures now proposed: of concession, and attempts at soothing our late adversary, we had had too much. Had this line of conduct been adopted earlier, in all human probability no necessity for it would exist at the present moment. However, as matters stood, he hailed this first appearance of spirit and vigour in the national councils with joy and gladness, as the only means left for our salvation. He had at present nothing farther to offer; but upon an occasion of such great importance and magnitude, he could not give a silent vote, consistently with his feelings of duty, or the dictates of his conscience.

Lord Grenville said, he had but a few words to offer on the present occasion. He cordially agreed with what fell from his Noble Friend who spoke last; but, like him, the part he had always taken with respect to similar discussions, prevented him from giving a silent vote. He thought with his Noble Friend, that the adoption of the system now about to be acted upon was the only one that could preserve the blessings of peace to the country; he was likewise of opinion, that a system of firmness and dignity, if earlier acted upon, would have ensured the continuance of peace, and certainly have obviated the necessity of such an incipient system at present. It was, he was firmly convinced, only because such a system was not earlier adopted, that the continuance of peace was now questionable.

However, its adoption even now, would afford to the country the best chance for the maintenance of that blessing; but at the same time he had to observe, that the conduct of Ministers in the present crisis should be such, as to enable the country to feel and know its real situation; by which means, if the injustice of our adversary rendered it necessary to call forth the full powers and resources of the country, they could be used with the greatest vigour and effect. The reasonings of that day were warranted by the experience of the last eighteen months; they had seen the consequences resulting from a system of concession and meanness, in which all their attempts at conciliation only elevated the arrogance and the pretensions of the French government. If there was any chance remaining for the preservation of peace, it would proceed from the measures now resorted to; at the same time it was with regret he had to consider, that in consequence of the former conduct of Ministers, if we were now driven to the alternative of war, we should have to meet a state of war under many and great disadvantages. Cessions the most important and valuable had been made with a view to operations either of an offensive or a defensive nature: these considerations should not withhold his concurrence from the present motion; on the contrary, he rejoiced at this first appearance of sound political wisdom and vigorous determination on the part of Ministers; he hoped such a system would be acted upon with due energy and perseverance. Upon the whole, the motion had his hearty concurrence; and he was confident there could be no difference of opinion in that House on such an occasion. They were in the present instance simply called upon to concur in measures for strengthening the hands of the King with necessary powers, at a crisis wherein discussions of acknowledged importance and magnitude were pending, the result of which was known to be uncertain—they were called upon no farther. His Lordship concluded with expressing his hearty assent to the motion.

The Earl of MOIRA, in expressing generally his concurrence in the motion, observed, that his support was rather qualified by the seeming backwardness in the Noble Secretary of State, to give that degree of explanation which he thought necessary, and at the same time unexceptionable; there were of course certain reservations, and these proceeded chiefly upon the following grounds: First, they were by no means satisfied that the causes which induced Ministers to come as they now did, did not exist even long before: the conduct of the French government in many respects was well known. They were also unsatisfied whether the crisis said to be now arrived might not have been prevented or obviated if earlier taken up, and the attention of Parliament called thereto. At the close of the last session, no serious apprehensions from our late enemies were declaredly entertained by Ministers, though, notwithstanding these declarations, they thought it necessary to propose an increase of our establishment: at that time every thing was doing or done in France, as fully as at the present moment, when such serious apprehensions seemed to be entertained. They should be given to understand at least what it was that had thrown such a new colour on the pretensions of the enemy; what change there was in the situation of France, or in the tone held by its ruler. Some intimation of these should at least be given, in order to enable them to judge of the extent of the proceeding now going on. Perhaps to a certain degree these explanations might be declined, on the ground that speaking too fully out might give umbrage to the ruler of France: umbrage to that new Hannibal, who has sworn or the altars of insatiable ambition an eternal enmity to this country! He would ask, has this man never shewn any disposition to induce unfavourable sentiments and conduct, on the part of others, against this country? After expatiating some time on the manifest disposition of the First Consul of France against Great Britain, he contended that we should place ourselves on the defensive, but in a dignified attitude; that we should be prepared for the worst; that we should betray no marks whatever of despondency or dismay, but come forward manfully, and shew ourselves not afraid of the result of the alternative of war. A genuine and useful spirit should be shewn by our government, and not an empty parade of valour; for if the First Consul had really advanced so far in his system, as avowedly to render such precautionary measures necessary on the part of our government, he had lost all hope of its stopping there; their conduct in such case should be such, as in effect to appeal to the sense of the French nation against the ambition and injustice of its ruler; to let them fairly see and decide, whether, in consequence of the headstrong passions of one man, they would be willing again to plunge into all the calamities of war. The effect of such a line of conduct, if any thing of that kind could, would be to restrain the ambition of the First Consul, and to induce him seriously to pause before he should proceed to extremities. A decided tone and vigorous system of policy on our parts, would more than any other be likely to prevent hostilities between the two countries: such, in fact, as would have the effect, comparing little things to great, of preventing a quarrel between any two manly Englishmen—"On such terms I would wish to remain at peace; but set your foot on such a place, and I shall consider it as the signal for instant war!" Such a mode would best conduce to the preservation of peace, even with a country governed by the most despotic ruler. With respect to any important objects in a train of negotiation, he confessed it might

be improper now to inquire; but he hoped that information respecting those would, as soon as practicable, be laid before the House, as the people should, as soon as possible, be apprized of their real situation. Considering the subject in another point of view, and urging the policy of vigorous preparation, his Lordship observed, that we should not calculate upon the attempts of Buonaparté, according to those principles or motives of conduct which actuated any other man. We should make up our minds, as to the probability at least, of attempts upon this country; but for these we should be prepared; we should look the danger full in the face; and more, we should let our adversaries know that we are so determined. Their boast, "that England cannot contend single-handed against France," should not go unnoticed. Whatever purpose they might have against us was, perhaps, when we were encumbered with what they would call assistance. But how stood the fact? It was, that when we were single-handed with France we were always successful, and of this he thought his Noble Friends near him (Lords Nelson and Hutchinson) afforded a good practical illustration. But above all, our adversaries should be made to understand, that if contending with them in this country, we most confidently looked for signal and decisive success. In such a possible contingency, the safety of the capital should be especially looked to. We should not talk of the impracticability of invasion; we should consider the extent of coast possessed by, as well as the character of the adversary we had to contend with. Therefore, what was possible was practicable, and what was practicable we should consider as likely to be attempted. We should consider that in such a contest we should be playing our last stake. Such a contest should not be managed under a common-place system or official practice of war: if so, we were lost indeed! but the strength, the resources, the energies of the people and the country, should be called forth and fairly brought into action. The first object of the enemy in a descent, would doubtless be the capital: its security should be first looked to. A great and powerful army should be stationed between it and the coast; this he would wish to be understood; and so circumstanced, he was of opinion, the officer commanding the British force ought to lose his head if he did not come to an action with the enemy before they reached the capital. In such a crisis, the destruction of one army ought to be risked against that of the other. After dwelling upon these points, and urging the necessity of securing the capital especially from attack (among other ill effects of which, the temporary elation it might give to the few disaffected spirits should be guarded against), he again urged the superior policy of vigorous preparations, and a determination to be prepared for the worst; and, above all, to assume that tone and attitude which should convince the enemy that no invader that should set his foot in this country should be suffered to return to tell of his fate.

The Earl of Westmorland made a few observations upon the general subject. He contended, that Great Britain was of herself amply capable of asserting her honour, maintaining her dominions, and preserving her independence. In such a contest she needed no ally. Let republics court the alliance, or unite themselves to the Great Nation; the kingdom of Great Britain, under the auspices of its sovereign, aided by the spirit and resources of its people, would stand alone, and in a dignified attitude. It was then unnecessary, as well as obviously improper, to enter into the discussion of certain points adverted to by the Noble Earl, though in another point of view, the forbearance of that Noble Lord to inquire was highly entitled to approbation. He trusted that due confidence would be placed in Ministers on the present occasion, as it was but fair to deem of them that they would not rashly throw away those blessings of peace which they had so greatly exerted themselves to attain and secure. He could assure his Noble Friends that his Majesty's Ministers were as anxious for the preservation of those blessings as any men possibly could be.

Lord Auckland expressed his conviction that the steps lately adopted were not unadvisedly taken, and that no wish whatever was entertained by Ministers to plunge the country again into the calamities of war. He adverted to the colossal strength of France, and to the great extent of her continental possessions or influence, and scouted the principle advanced on the part of France, that Great Britain had no right to interfere in the concerns of the continent. There were several instances, as illustrated by his Lordship in argument, where that interference would be not only justifiable, but laudable. After commenting some time on the prosperous situation and circumstances of this country, and her ability, in every point of view, successfully to cope with France, his Lordship adverted particularly to the financial concerns of England, which, he observed, it was of late so much the practice to depreciate in France: it was to evince to the world, and to that country in particular, the unprecedented prosperous financial situation of this country, that he moved for the various accounts which were then before the House. To establish the positions adverted to, the Noble Lord entered into a variety of financial calculations, from which he deduced, that the country now possessed, after a discharge of debt, an income of not less than seventeen millions a year. This income, in consequence of various operations, was increasing from day to day; and a rapid progress was making in the liquidation of debt.

Added to these considerations was the immense territorial possessions of Great Britain, particularly in the East Indies, and which naturally increased the magnitude of her strength and resources. These were leading and important facts, which his Lordship observed, could not be too generally known, and with a reference to that publicity, he originally proposed the discussions he had alluded to.

After a few words in explanation between Lords Moira and Auckland, the question was put, the address was voted *nem. diss.* and the Lords, with white staves, ordered to wait upon his Majesty respecting the same.

HOUSE OF COMMONS.

Wednesday, Mar. 9.—(See Minutes, p. 404.)

[THE KING'S MESSAGE.]—The CHANCELLOR of the EXCHEQUER moved, that the order of the day for taking into consideration his Majesty's most gracious message be now read; which being done, and the message read by the Speaker, he moved, "That this "message be now taken into consideration."—Ordered.

The CHANCELLOR of the EXCHEQUER then rose to propose an address in consequence of his Majesty's most gracious message, which the House had just heard read from the Chair; and he felt perfectly confident that the appeal which his Majesty had thereby made to the wisdom, the public spirit, the liberality, and the fortitude of his Parliament, had not been made in vain. There were two points to which his Majesty's message referred: that of military preparations on the coasts of France and Holland, and the discussion now subsisting between his Majesty and the government of France: either of those points, separately considered, would have required a great degree of vigilance and circumspection on the part of his Majesty's government; but both combined, required still more of their vigilance and attention. It had been stated to the House by his Majesty, that the preparations in the ports of France and Holland are avowedly directed for the purpose of colonial services. That, Mr. Addington said, it was possible, and he hoped probable, was the purpose of these armaments; but on the authority of his Majesty, it was also stated, there were discussions of great importance still subsisting, the result of which must, as it was obvious to the House, be uncertain; his Majesty had therefore made his gracious communication to the House; for the House must be aware, that, however inoffensive these armaments might avowedly be towards us, yet they might, under circumstances, be applied to another purpose, and which it was of the utmost importance to our interests to counteract. With respect to the discussion referred to in his Majesty's message, he trusted the House would not expect that he should enter into the nature, still less the detail of that discussion; but he had the satisfaction of thinking that the result of that discussion might be consonant to the true interests of this country; if, however, unfortunately such should not be the result, his Majesty, conscious of the goodness of his cause, had expressed a determination to refer to the great resources of the country, the wisdom of the councils, and the pride of the nation, in support of the honour of his crown and the essential interests of his people. If that unfortunately should be the result, the House might be assured they should be possessed of every topic which could cast light on every subject which might be desired to come under discussion, on the conduct of his Majesty's government, from the moment of the ratification of the treaty of Amiens to the present moment. With regard to the nature of the measures to be adopted in consequence of the present state of things, he was not disposed to enter, at present, into that subject; but it would readily occur to the House, that there should be some augmentation of his Majesty's naval force, and probably some increase to our internal security, for the latter part of which he had reason to imagine that an intimation would be made by his Majesty to his Parliament; that he had resorted for that purpose to the constitutional force, by embodying the militia. It would indeed be matter of regret, that those who had employed themselves during a long war, and had already done so much, should now be called on to make additional sacrifices; but he had no doubt, if requested on such an occasion, they were sacrifices which would be cheerfully made: but here he begged it to be understood, that all which was stated in his Majesty's message had reference to a system of defence, and was only matter of precaution. He was sanguine enough to hope, that on this day the House would give proof of an unanimous determination to enable his Majesty to adopt such measures as were essential to the true interests of the country. He should not propose to convey the sentiments of the House in terms by which any individual should be pledged or committed to any future measure, or by which the discretion of Parliament should be pre-engaged; but he trusted that whatever Gentlemen's sentiments might be on some of the measures of Government, either on the terms of the peace, or the supposed advantages of a state of war, yet that all would concur in supporting the motion he should have the honour of submitting to the House, the substance of which was to assure his Majesty, that he may rely on his Parliament in supporting his Majesty in such measures as may be necessary for the honour of his crown and the essential interests of his people. He then moved an address to the following substance: "That an humble address be presented to his

"Majesty, to thank his Majesty for his most "gracious message; to assure his Majesty "that his faithful Commons are impressed "with a full sense of this fresh proof of his "Majesty's unceasing attention to the welfare "of his people; that, under the present cir- "cumstances, they could not hesitate to con- "cur with his Majesty in thinking it expedient "to adopt additional measures of precaution "for the security of his dominions; that "though the preparations to which his Ma- "jesty referred were avowedly directed to co- "lonial service, yet as discussions of great "importance were still subsisting between his "Majesty and the French government, the "result of which might be uncertain, that "they partake of his earnest and unvarying "solicitude for the continuance of peace; and "that his Majesty might rely with confidence "on their exertions to enable his Majesty to "adopt such measures as circumstances might "require, for supporting the honour of his "crown and the essential interests of his peo- "ple."

This address being read, and the question put,

Mr. Fox said, that no vote had ever been given on any occasion, and particularly by him, in such complete and utter darkness as that which was now proposed. To thank his Majesty for his gracious communication, to concur with him in the support of the honour of his crown and the essential interests of his people, were propositions which it was morally impossible to oppose. The message stated two grounds: first, the ground of the armament in France and Holland: this was matter of fact, capable of proof, and therefore must be supposed to be correctly stated. The next was the ground of discussion: and here he was entitled to avail himself of what had been said by the Rt. Hon. Gent. in the opening of this subject to the House, which was, that the address did not pledge the House to any thing. His Majesty stated there were subjects of discussion: he did not give to the House the remotest hint what they might be, whether in Europe, Asia, Africa, or America; upon no part of which did he give any opinion whatever. He must assume, that whatever he stated to be of importance was of importance; but he had no means of forming his opinion upon it; he was left in a state of entire darkness. That they were ready to thank his Majesty for his gracious communication, and ready to join in any measures which might be necessary to support the dignity of the crown and promote the welfare of the people, were propositions in this address to which he gave his assent most readily; but not further, without some information. Having said this, he would add, that any one who would carefully examine the present state of the British empire, would feel there never was a period in which it was so essential to this country to avoid the calamities of war as the present, and therefore, if we were involved in war by any fault of Ministers, they would be more guilty than any other advisers or counsellors of this or any other country.

Lord Hawkesbury said it would not be necessary for him to trouble the House long upon the present occasion, he should therefore say but a very few words. In one part of his speech, the Hon. Gent. who spoke last had rather misapprehended his Rt. Hon. Friend; he meant, in the two objects he had stated, that of the preparations of armaments in the ports of France and Holland, and the discussion remaining between his Majesty and the government of France. The Hon. Gent. seemed to think his Rt. Hon. Friend had stated, that one of these grounds only was fit ground for this address, whereas what his Rt. Hon. Friend had said was this, that one of these grounds was sufficient for the circumspection and vigilance of Government, but that both combined, that was, the preparations and the discussion, called for something more, and required that Ministers should advise his Majesty to send the present message to the House, and to exert that caution and that vigilance. As to what the Hon. Gent. had said upon the address in the latter part of his speech, he agreed with him that the address did not pledge or commit the House to any thing. As to the subject of discussion which might at present be subsisting between his Majesty and the French government, he would repeat what his Rt. Hon. Friend had already stated. If this discussion should lead to war, it would be the duty of Government to lay before the House all the information it could, as to the causes of the war and the conduct of Ministers: he would go further, and say, it would be right, under the present circumstances, not to confine it to objects immediately depending, but he should wish most anxiously, that the whole conduct of Government, from the conclusion of the definitive treaty to the present moment, should be fairly laid before the House and the country. He was satisfied, on a review of that conduct, his Majesty's Ministers would have no reason to repent of it; and when that came before the House, he should be ready to enter into the discussion of the whole or any part of that conduct which any Gentleman in the House might think proper to require. Under the present circumstances, however, he thought no advantages could arise by entering into the measure of negotiation at present, or events that antecedently took place: that would now answer no useful purpose. The address, if it pledged the House to any thing upon it, might embarrass the House. The address pledged the House to nothing but that to which the House was ready to assent at all times, namely, to support his Majesty in main-

taining the dignity of the Crown and the essential interests of the country.

Mr. WINDHAM assured the House he had no intention to claim its attention long. He agreed with an Hon. Gent. who spoke before him, that the House was put into rather an hard situation, because it was called upon to act in the dark: he did not think it was sufficient for the House to be told, that hereafter they shall be in possession of the ground on which the present proceeding was proposed. The House ought to be in a situation where it might have some knowledge of events in a crisis so considerable; the House ought to know something upon this subject, instead of proceeding upon a nullity of information; for upon this matter which now occupied its most serious attention, the House knew literally nothing: it was told only in general terms that exertions are necessary. The House indeed knew that very considerable armaments had been made, and a great change effected in the system of what was called peace. He must therefore enter a species of protest against the mode now adopted (the necessity being, in his opinion, such as to call for it, and requiring exertion), that the force proposed to be used should be used merely as defence: now all species of force might be so used, especially in the first instance; but it was here of the last importance, when great force was necessary, to know what that force was, because prudence might require force of different sorts in different circumstances: there was some that was in its nature defensive, and defensive only; that must be the case of the militia; but for the interpretation of the present vote, nothing more need be said than that the House concurred in it. They pledged themselves to nothing but that which had been already stated, and in that no man could have any difficulty. Here he should have ended, if it had not been for some observations made on the other side of the House. It was said on a former occasion by an Hon. Gent. (Mr. Fox), that peace was his policy and first wish, said Mr. Windham, and that war was mine. "I am at present in no state to say, I can be in no state to say, whether war would be expedient or not; if it were necessary to come to an opinion, no conclusion could be drawn from the conduct of those who were the most vehement opposers of the peace, what their opinion would be now. That they should be supposed to be glad of what was now proposed, that they exulted in it, and would catch with impatience at any prospect of the renewal of the war, would be a conclusion as false in reasoning, as unfounded in fact." The very reverse was the fact; he who was a vehement opposer of the peace of Amiens, who had no reason now to alter the opinion he gave then, but abundant reason to adhere to it, might nevertheless not conclude now that war could be made with advantage: he might think otherwise, in proportion to the conviction of his mind at the time he opposed the peace. He might be the less ready to catch at war now than he was then, because he might be of opinion that we had lost the opportunity which might have been then afforded, and therefore persons entertaining the opinions which he did, would consider this as a very serious matter. An Hon. Gent. (Mr. Fox) had often said, that no evils could be stated which were equal to the evils of war. He believed that it now began to be suspected, perhaps felt, that there were dangers in peace as well as in war, and they might go on as rapidly too in that state as the evils of war, and might lead a country into that state in which no war could stop them. Now he would beg leave to observe to the Noble Lord who spoke last, that there was a double responsibility attached to a minister, that of making an improper peace, and also that of making an improper war: the danger of the one might in some cases be equal to the danger of the other. Consigning this, as he did, completely to his Majesty's Ministers, he could only remind them of their responsibility, and that it applied to either side, the alternative of peace or war.

Mr. SHERIDAN said, that there was something very extraordinary in the speech of the Rt. Hon. Gent. who had just sat down. That Rt. Hon. Member had stated, that he might feel an extreme reluctance in agreeing to a war at present; that he had been a vehement opposer of the peace, and that by being so, he was necessarily reluctant to our now going to war. He understood the Rt. Hon. Gent by this to mean, that this country had, by agreeing to the peace, incapacitated itself from going to war. The Rt. Hon. Gent. had also said, that we were not now able to renew the war; he had even stated, that we were not now able to defend ourselves. Such language had certainly been held by the First Consul of France, but he did not expect to hear it re-echoed by any member of the British House of Commons. This country had observed great moderation and forbearance, in order to maintain peace; but if repeated insults and provocations rendered it necessary for us to go to war, single-handed as we were, yet he had the most perfect confidence that we should be able to convince France that we were capable of supporting our honour and dignity, and that each individual in this country would be ready to follow the illustrious example of his R. H. the Prince of Wales, in determining to forego every consideration of personal convenience or accommodation, when the interest of the country was at stake, and with fortitude and magnanimity to preserve the country in that state which he was sure had not been injured by our moderation.

Mr. WINDHAM said, that the Hon. Gent. had imputed to him that which he had never

said, for he had given no decided opinion whether this country ought to go to war or not.

Mr. Canning gave his cordial support to the address, as it pledged the House to nothing but that in which all members were agreed. He was unwilling to suppose that Ministers, in the conduct of the discussions now depending, were exposed to censure; he wished to suspend his judgment till they had an opportunity of explaining to the House the circumstances of their conduct. Ministers had promised this explanation, which, indeed, was what the House had an undoubted right to demand. In the manner in which this assurance had been given, there was something on which he found it impossible not to animadvert. The House were assured, that if, unfortunately, the discussions now depending should terminate in hostilities, Ministers would feel it their duty to explain the whole cause of the negotiation: but no assurance was given of this explanation in the event of an amicable adjustment of the points in dispute; the House, however, had as clear and undisputed a right to explanation in the one case as in the other. The message from his Majesty had excited throughout the country the greatest anxiety and alarm; and the public, as well as the House, were entitled to be apprized of the circumstances on which the expediency and policy of such a proceeding was founded. He must be allowed to say, that a refusal to give such an explanation would be a striking evidence of the want of that good understanding which ought to exist between the people and the Government. On the part of the people there had been of late manifested a great degree of docility, a strong disposition to give Ministers credit for the purity of their intentions and the uprightness of their views. It was fit that this disposition should be met with something of a corresponding spirit of confidence and openness of communication. Ministers, however, seemed determined to act on a perfectly different principle: they appeared studious of mystery and concealment. The address was of the most interesting nature; it referred to subjects of the highest national importance. Nothing like confidence was to be seen, however, on the part of Ministers; they put the House and the public in possession of no one circumstance which might account for measures of new and extraordinary preparation. Never, he ventured to assert, was so important a measure proposed on the grounds which were made the foundation of the present address: alarm and anxiety were excited, and the grounds of this anxiety and alarm were carefully involved in obscurity. He should, however, support the motion, putting in, as he did, in the strongest manner, his claim to demand a full and satisfactory explanation of the grounds of the address at a subsequent period.

The Chancellor of the Exchequer, in explanation, alluded to what had fallen from a Rt. Hon. Member (Mr. Canning), who had stated, that no information had been promised to the House, except in the alternative of war, and that no communication would have been made but in that event. He begged leave to state, that he had given no pledge whatsoever; but this he would say, that whatever might be the event, he disdained the reserve which had been imputed to him, and that he never would withhold any communication from Parliament upon any subject relative to the public interest, which might be communicated with a due regard to that interest.

Mr. T. Grenville rose to make a few observations upon what had fallen from a Rt. Hon. Gent. respecting the answer which had been given by the Minister. He admitted that which he was sure was felt by every Member in that House, that upon such a subject as this there ought to be no dissenting voice; but a question had been put to the Ministers, whether, in any alternative except that of war, they intended to lay any information before the House? To this question the answer was, that no pledge whatever had been given upon the subject. Now he could not help observing, that the very mode in which this answer had been given, was a satisfactory justification of the Hon. Member who had put the question. Having said thus much, he begged to observe, that no man was more unwilling than himself to enter into any discussion whatever that could operate to retard, or even to throw a shade upon the resolution which had been proposed. He did feel a great deal of embarrassment on his mind as to the ignorance in which the House was placed on this occasion; for when Government proposed to the House an address, which the Rt. Hon. Gent. had described as containing no pledge whatsoever, yet the House must be supposed to be pledged in the customary manner to the facts to which they assented. He could not help remarking, that if on the one hand unanimity was felt to be so desirable, yet on the other the effect of it would be considerably lessened in the eyes of all mankind, if the present vote did not convey the tangible opinion of every man in that House: for so it must be when the House voted an address without any information respecting facts. With these few remarks he should conclude, assuring the House that there was no man in it more ready or eager than he was to carry up to the Throne the answer contained in the present address. His mind was certainly impressed with sentiments of great anxiety upon this subject, but he trusted that the measures now proposed would be of a nature to produce peace and tranquillity.

The Attorney General said he could not be surprised that any Gentleman who con-

curred in the vote should wish to lay in his protest against giving any pledge as to the future sentiments he might think proper to adopt. He thought nothing could be more reasonable, than that at a time when a message of this sort was brought from the Throne, and when the House was called upon to express its thanks for the gracious communication, those Gentlemen who were of opinion the statement was not sufficient to justify the war, should lay in their claim to express their sentiments, whatever they might be, on a future occasion; but he could not help thinking, that the House had no reason to deem itself hardly dealt with by information being kept back, when, in fact, no information had been called for, and when the question to be considered was only a communication from the Throne, stating there were certain measures which rendered it necessary for us to make defensive preparations and hold ourselves on our guard, and when it was expressly stated too, that a satisfactory communication would in due time be made to Parliament. The Hon. Member who had last spoken had said the message seemed to augur well, because it manifested a disposition to exertion; but he thought he might as well have spared that observation: it inferred, that no conclusion the House should adopt could be too violent. With respect to what had fallen from a Rt. Hon. Gent. behind him (Mr. Canning), he answered him a little prematurely, as to the disposition he had anticipated of his Majesty's Ministers withholding any communication upon the subject. There had been no disposition expressed by his Majesty's Ministers, that, in the event of war being unnecessary, no information would be laid before the House. Whether such information should be laid before the House, must depend upon circumstances. When it was pressed for, if it was withheld, it would be in the power of any Member to demand it; and the House, if it thought proper, would enforce its production. He would not prolong the debate, except by mentioning one circumstance. The Hon. Gent. he had mentioned seemed to have recurred to the opinion he had expressed respecting the calamities produced by the conclusion of the definitive treaty of peace of Amiens, on the ground that it was calculated to promote a war; and that, in the event of this country going to war, we should be so crippled, that the circumstance of having had peace would be attended with the effect of rendering a future war more difficult. He wholly disagreed with him. He maintained that the opinion of the people at large, going along with the opinion of Government, upon a question so important as the present one, was infinitely more to be considered than the precise state of the proportion of military force referring to the period when peace was concluded. If it should ultimately turn out that this country should be obliged to renew hostilities, the Government, he had no doubt, would be able to state to the House, that those hostilities had not been provoked, and that they could not, by any proper, temperate, and honourable conduct, be prevented. If his Majesty's Ministers should lay before the House this state of the case, he was persuaded that the spirit of the country would be in unison with that which actuated his Majesty's Ministers; and that the absolute necessity of renewing hostilities, would give more strength, vigour, and energy, to those which should be undertaken, than could possibly be imparted, by preserving the exact military position of a particular period. He trusted the House would think the question was left open to discussion, and that, whatever the measures of Government had been, they would be fully inquired into. He hoped that Parliament and the country would not be too fond of peace—an unstable delusive peace. He trusted that they would not be induced to think that nothing short of an attack on the country would justify hostilities. He flattered himself they would bring their minds temperately to the discussion of the subject, and to the consideration of—whether his Majesty's Ministers had acted wisely in taking the course they had done with regard to these points; he was persuaded there could be no material difference of opinion on general grounds; and, respecting the question immediately before the House, nothing else was proposed, than that, supposing the case to be exactly as it was stated in his Majesty's message, the House should pledge itself thus far and no farther; that it should admit it to be a case which justified military preparations, but nothing more. If afterwards it should appear, that the circumstances and situation of the country did not justify the present application, it would properly be a subject for future consideration. To give his Majesty an assurance of our determination to guard against surprise, was all that the House was at present called upon to do; he trusted, therefore, that there could be no reasonable ground of complaint on the one hand, and that on the other there would be no reluctance in giving further information.

Dr. LAWRENCE said, that the meaning of his Rt. Hon. Friend had been misinterpreted, when it was alleged that he professed himself to have been adverse to all peace, at the time when that of Amiens was concluded. He did not then oppose peace in general, but a peace that could be nothing better than war in disguise. He did not mean, that there was not the greatest strength in that unanimity of high spirit which it might be expected would not now be found wanting in the breasts of the whole people of this country. But he had opposed and regretted the peace of Amiens, because it never promised to end otherwise than in those events, on the unpleasing probability of which contemplation was this day fixed. It was not to be denied, that the spirit

of the people was not likely to shrink from any new difficulties of war which they might be now called to encounter. But neither could it be in reason affirmed, that they would have been now utterly destitute of that spirit if the peace of Amiens had not been concluded. If, in consideration that no specific engagement was made in the address, he should avoid to press, at this particular moment, for further information from Ministers; yet, if the discussions and preparations on which the message was founded, should end in a renewal of war, and if his Majesty's Ministers should come, as they of course must, to that House, for the supplies necessary in carrying it on, he would then expect the most unreserved communication of every document which could throw light upon the quarrel; and he should undoubtedly be disposed to enter into the fullest discussion of the wisdom of their conduct. He wished to know, if war must be resorted to, whether it was necessary to the safety and honour of the empire. His wishes were for peace, and he should therefore oppose equally an unseasonable war, and a war waged without that full energy which could alone command success. It was argued, that since, in the alternative of war being yet averted, Ministers did not now say that they would give no information of the causes of this alarm, therefore they were not to be at present blamed for not offering information as freely in the one alternative as in the other. But he thought it their duty, in either case, to offer that information which it was disrespectful to Parliament, and to the country, and for Ministers, not to offer, whenever they had to appeal to the good-will of both, in a case of so much magnitude. There might be some pieces of information which it were sufficient to give when the House should call for them; but there were undoubtedly others, as in the present instance, which it were highly unbecoming in Ministers not spontaneously, in all events, to bring forward. He concluded with expressing himself friendly to peace; but willing, upon due information, to grant the requisite supplies for war. For the address he would vote, as making no specific engagement.

The address was then unanimously voted, and it was ordered, that such of the members as were of the privy council should carry it up and present it to his Majesty.

HOUSE OF LORDS.

Friday, March 11. *(See Minutes, p.* 428.)

[Affairs of Switzerland.] Lord Minto rose, and called to their Lordships' recollection a notice which he had given, previously to the Christmas recess, of his intention to bring forward, as speedily as possible after that recess, a motion for inquiry into the conduct of his Majesty's Ministers respecting the affairs of Switzerland. That motion it was his intention to have brought forward in the course of the present week, but the intervention of important circumstances, already well known to their Lordships, circumstances prominently developed by his Majesty's gracious message to both Houses, pressed so much more urgently upon the entire attention of their Lordships, as totally to avert their eyes from all retrospective views, and to turn their regard to the prospect immediately before us. The plain path for Englishmen to pursue on this occasion, was so obviously chalked out by the animated and eloquent speech of a Noble Lord, a few evenings since (Lord Moira), that no man could mistake the great line of his duty to his country. Under such circumstances, he said, it was impossible to withhold his expressions of the perfect satisfaction he felt for the unanimous sentiments of both Houses of Parliament within doors, supported by the opinions, the fortitude, and the bold, manly, and patriotic sense of every class of the people without. Actuated by such a sense of our situation and our common duty, stimulated by sentiments at once so national, so animated, and so truly characteristic of Englishmen, there could remain no doubt as to the final issue of any conflict, into which the exigency of circumstances might, however reluctantly, force us; and in such a contemplation of the existing circumstances of our country, their Lordships, he was confident, would not impute to him any dereliction of his duty, if he now declined bringing forward the motion which he intended; at the same time, he congratulated the country upon the spirit and energy manifested by his Majesty's Government, on an occasion so interesting to the honour and the rights of the British nation.

[Mesne process bill.]—Lord Moira moved the order of the day, for the second reading of the bill for the better prevention of vexatious arrests on mesne process. The order of the day being read accordingly,

Lord Moira rose, with a view, he said, of trespassing, as shortly as possible, on the attention of their Lordships, in explaining his objects under this bill, which he had introduced, after many years of deliberate consideration, as the best result of his own judgment on the subject. His main purpose in this bill, he said, was public justice between all the parties concerned; tempered, at the same time, with as much humanity as was consistent with, as well as indispensably necessary to, the administration of that justice, consistently with the spirit of British legislation and British jurisprudence. He had to express his sincere thanks to those law Lords, who, happily for this country, preside at present in the public administration of national justice, for the deliberate consideration and wholesome counsel, whereby they had favoured

him in his endeavours to bring this bill forward. To their wisdom, as well as to the collective sense of their Lordships, he would now submit it, describing, as briefly as possible, his views, under the several clauses it contained. His first principle was grounded on the quantum of debt for which a man may, as the law now stands, under the 12th of Geo. I. be arrested on mesne process, namely, a debt of 10*l.* Considering the very material change in the value of money from the period at which that bill passed and the present, and the great promptitude of creditors for small sums, and the low class of practitioners, by whom they are but too much influenced, to arrest their debtors for small sums, his Lordship thought that an increase of the sum from 10*l.* to 20*l.* could in no degree alter the spirit of the 12th Geo. I. though it should prevent many instances of cruelty and oppression, which it could never have been the purpose of that law to authorize. The next object was the sum of maintenance to be allowed by the arresting creditor to the imprisoned debtor. Than the principle of this regulation, as it stood now authorized by law, nothing in his Lordship's mind could be more just or reasonable. It was, however, exclusively appropriated to those debtors only who were detained under execution. But if a man was thrown into prison for a debt which he was alike unable to bail or to discharge, it was to all intents and purposes the same as if he had been held in execution; and therefore the Noble Lord could see no rational cause why the creditor in that case should not be obliged to afford some assistance to the unfortunate debtor whom he throws into prison, and deprives of all means to earn bread, as in the other. Certainly the raising of the sum which would warrant arrest from ten to twenty pounds, went considerably to diminish the evil as it now stands; but the principle in his mind was equally valid in the one case as in the other. The next principle of his bill was one, which he conceived highly necessary, to prevent oppressive and fraudulent arrests, and the adoption of which could never, in the slightest degree, impede justice. For instance: as the law now stands, nothing more is necessary to procure a warrant for the arrest and imprisonment of any man than swearing to a debt. Upon such an oath a warrant is issued, the man thrown into prison; and though the oath be absolutely false, and not one penny fairly due to the plaintiff, yet the arrested person has no alternative for his liberation but to pay the debt, or enter bail. If he does the former, he submits to injustice without any privilege of subsequent appeal; and as to the latter, he may be an utter stranger, with his pocket full of money, and ample estates in another country, yet he may remain imprisoned for many months until the issue of a suit is determined, without any certain mode of forcing the plaintiff to proceed, in order to accelerate the issue of such suit. Now, what his Lordship wished was, to enable the person arrested to pay into the hands of the sheriff, or some eligible officer, the amount of the debt and probable costs for which he should be arrested, and then be entitled to go at large until the debt should be fully investigated and fairly proved in law. It might be said that a man, for maliciously swearing falsely to a debt, for the purpose of embarrassing a man by arrest, is severely punishable in law; but such is the complicated nature of debt, under so many balances, counter-balances, and set-offs, as may be pleaded, that nothing would be more difficult to substantiate on a prosecution, than such a malicious swearing. The remedy which the bill proposed, however, he conceived with deference, to be a reasonable one for the evil he mentioned. On this ground, having barely mentioned his objects in the bill, he thought the committee would be the proper place for suggesting such emendations as to their Lordships should seem necessary; and for the present he would offer nothing farther on the subject.

Lord Ellenborough said, that certainly those Noble Lords whose more peculiar functions led them to the administration of the laws in this country, had many cogent objections to the alteration of those laws, where strong motives for such alteration were not made clearly apparent. His Lordship was, however, ready to acknowledge that there were some of the alterations proposed by the Noble Lord's bill on the existing laws between debtor and creditor, which were but just and reasonable, and might have a very salutary effect; that, for instance, which proposed an increase of the sum warranting arrest on the mesne process, from 10*l.* to 20*l.* on which subject he agreed in the principle laid down by the Noble Lord. But on that part where the Noble Lord proposed to increase the allowance from the creditor to his debtor in prison, beyond the present sum allowed by law, or to the debtor confined on mesne process, and not in execution, he could not so readily agree, as it would be rather hard upon the creditor who arrested his debtor in pursuit of redress, to be obliged to increase the debt and his own injury, by an extra subsistence to his debtor, who might stay in gaol capriciously, though in many instances able to pay; and with respect to the liberty which the Noble Lord wished to give the debtor arrested, of paying the debt, and the trivial costs incurred in the first instance by such arrest, and thus procuring his liberation, the person arrested had already that privilege under the law as it now stands, and may pay the sum into a court, or to a judge at his chambers, and thus procure his liberation.

Lord Alvanley observed, that there were certainly some points worthy of notice, and which, in his mind, called for remedy. On

the point last mentioned, certainly a man arrested, however fraudulently, by paying debt and costs in the first instance, would be entitled to his liberation. But then, in such a proceeding, he admitted the justice of the claim, and had by law no subsequent ground of appeal against its injustice; so that to be entitled to a fair trial on the merits of such claim, he had no alternative but to go into gaol, or enter bail to stand the issue—a thing which the almost universal objection which all men entertained to becoming sureties, even for their dearest friends and relations, rendered very often impracticable to men of good character and property. However, as the bill was to undergo a full discussion in a committee, a proper remedy might suggest itself on this point; but he trusted that discussion would not take place in the absence of the Noble and Learned Lord who usually presided in that House.

On the motion of Lord Moira, the bill was committed for Tuesday, under the supposition that the Lord Chancellor would then be in his place.

HOUSE OF COMMONS.

Friday, March 11. *(See Minutes, p.* 428.)

[Supply.]—The order of the day was moved for going into a committee to consider further of the supply to be granted to his Majesty.—The House accordingly resolved into the committee, and Mr. Serjeant moved, "That ten thousand seamen be added to the "number now existing."

Mr. Francis rose to offer a few observations on the motion, and it is with regret we mention that the commencement of his speech was delivered in a tone of voice too low to be distinctly heard in the gallery. The vote which the committee were now called upon to accede to was one which involved considerations of the most important nature; and before any Member could, consistently with his duty, agree to it, some general explanation was due on the part of his Majesty's Ministers. It was of importance to the committee to have some information communicated respecting the situation in which the country was placed, the reasons which rendered such extraordinary preparations necessary, the character of those in whom the application of those preparations would be vested, the views they entertained in calling on the House to make preparations, and the degree of confidence to which, by their past conduct, they were entitled. He wished sincerely that the address on a former evening had passed without any observation. The discussion which had taken place had put the House in possession of no new information, and at its close Members separated as completely ignorant of the circumstances on which the address was founded, as before the motion was brought forward. While he called for explanation, he disclaimed all opposition or hostility to his Majesty's Ministers, and indeed he was the more entitled to demand this explanation, as he had hitherto given them his support, and had reposed confidence in their conduct. He had therefore at this moment a peculiar right to know whether circumstances existed to justify the continuance of this confidence. He had a right to be informed whether it was to the fault or the misfortune of Ministers that the present situation of the country was to be attributed. When the preliminaries of peace were first signed, and before the terms on which it had been concluded were known, he had been thankful for the termination of a disastrous war. With this sentiment he felt obliged to Ministers for the peace which they had concluded, viewing it merely as the deliverance from a war without object or end. When the terms of the peace were known, they had been strenuously objected to by Gentlemen, of whose talents it was impossible to speak without the greatest respect. He did not mean to say that these objections, separately considered, did not possess great weight; but, viewing the conditions of the peace, and connecting them with the consideration of the continuance of war, the sacrifices which had been made did not appear to him greater than the object deserved. With such views, therefore, he was still willing to give Ministers credit for the conclusion of peace. That the executive power had the full right of determining, in the first instance, on peace and war, was a doctrine which he by no means wished to controvert. This, however, did not by any means interfere with the right of the House to inquire how far the servants of the Crown had exercised their power in a treacherous manner, or preclude them from presenting an address to his Majesty for their removal, if they should be judged incapable of managing the affairs of the nation under perilous circumstances, connected with the maintenance of peace or the renewal of war. On these principles, he therefore ventured to ask, whether, when peace was concluded on terms involving considerable sacrifices, great as these sacrifices were considered, as the price of an object of anxious desire, and there was now reason to apprehend a renewal of hostilities, the House had not a fair right to be informed what, after all these sacrifices, was the return which was to be expected; what, for all these sacrifices, was the return which had been obtained? It was not peace, but the prospect of war, after every concession had been made as the price of tranquillity and repose. Were the House now to be told that they should obtain no explanation? Was the country to be brought into the perilous situation in which it was now placed, and was no account to be given of the causes by which this situation had

been produced? Till the House and the country were informed what the circumstances were which had led to this situation, he could not, consistently with his duty as a representative of the people, justify the present motion. As far as the defence of the country was concerned, there was no need of a recommendation from the Throne to induce the House to do what loyalty, unanimity, and harmony would have suggested. This was an object which, in the view of a threat of invasion from any quarter, the House would ever have in view, but they would more particularly consider it if that threat came from France. At a moment when that which is dearest was at stake, there was no room for difference of opinion, because every man in defending the country only consulted the means of his own defence. But had not the House and the country a right to have it made out that the conduct hitherto pursued by his Majesty's Ministers was unwise and impolitic; that improper concessions had not been made; that the country was not unnecessarily again to be plunged in war? Till the explanation was given, he could not, consistently with his public duty, continue the same confidence which he had formerly reposed. He did therefore hope that some explanation would be given by Ministers how far they meant to go with the preparations, the necessity of which they had stated. By agreeing to this vote without explanation, they would, in fact, say that the same Ministers, who had by the greatest sacrifices concluded a peace, were to be allowed to bring the country into a war, without affording the smallest information as to the grounds of the renewal of hostilities. He threw out these suggestions, not so much with the view of entering into any detailed discussion, as of engaging gentlemen of greater abilities to take up the subject. Ministers owed it to their own characters, to the House, and to the country, to shew that we were not brought into our present perilous situation by any fault on their part. Perhaps to their conduct the extraordinary preparations now called for were owing, and it was surely not fit that those who had brought the country into a situation where war was the only alternative, should pledge the House to the support of that war, without affording any information respecting the circumstances on which it was to be founded. This, he contended, was the clear law of Parliament. The present was not a moment rashly to plunge the country in war. It had already been seen what effect his Majesty's message had produced on public credit, and how much the prospect of a war, no one object of which was explained, would dishearten the people. At a time like the present, when every exertion might be necessary for the support of our independence, it was of high importance that the people should repose the most ample confidence in his Majesty's confidential servants. The least distrust of their capacity could tend only to dishearten the people, and to fill them with astonishment and terror. At a moment like this, when we might be called upon to struggle even for our existence as a nation, it was a lamentable consideration that the whole ability of the country was excluded from the Government. At the most perilous crisis in which the country was ever placed, we were deprived of the opinion, the advice, the talents of all those great men whose cordial co-operation was so essential to the salvation of the country. This language might give offence to many Members; but this was not a moment for an independent representative of the people to conceal his sentiments. It was necessary to speak out under the existing circumstances. If the ship sunk, then all would go down with the unskilful pilot. He wished to press these considerations on the attention of the House. They were considerations which he had not offered to the attention of the House without due reflection. He had viewed the subject with the greatest possible seriousness, and he had suggested what his anxiety for the safety and welfare of the country suggested.

The Chancellor of the Exchequer, in reply, spoke to the following purport:—I think it my duty, on the present occasion, to follow the same course which I thought it expedient to pursue when the motion for the address to his Majesty was under consideration. I then stated, that, under the present circumstances, any explanation was what I conceived the House had no reason to expect; and to this opinion I still adhere. At present I rise solely with the view of animadverting very shortly on the observations which the Hon. Gent. has made with the view of shewing the necessity of explanation. I confess that the arguments which the Hon. Gent. used in favour of the propriety of explanation, appeared to me, and I believe that they appeared in the same light to the House, totally inconsistent with the wish which he professed when he set out, that the address had been carried without any comment at all. I leave it to him to reconcile this opinion with the sentiments which he has on the present occasion expressed. The Hon. Gent. professes a desire that nothing which fell from him might be considered as designed to disturb the unanimity which prevailed when this subject was formerly before the House. Now, I ask, if prudential reasons existed which rendered any explanation inexpedient on a former evening, whether, acting on the same principle, his Majesty's Ministers ought now to give that explanation? If in the one case it was politic and expedient that concealment should be observed, it is impossible for any gentleman to shew that the same causes did not operate with equal force. The Hon.

Gent. had said, that at a crisis when we may be called upon to contend for our very existence as a nation, it is a matter of deep regret that the whole ability of the country is excluded from his Majesty's Government. I will readily allow for myself, and I believe I may take upon me to make the same avowal for my colleagues in office, that we feel in their utmost extent the difficult and arduous duties which we are called upon to perform, and are sensible of the responsibility we owe to the country for their due performance. This may be a very fair subject of observation to the Hon. Gent.; but I may be allowed to ask, on what principle it is that this Gentleman, who tells the House distinctly, that a Ministry enjoyed his confidence from which the whole ability of the country is excluded, should now bring forward against them the charge of weakness and incapacity? This is a sort of conduct which I leave the Hon. Gent. satisfactorily to explain to the House. I leave it to him to explain the reasons for withdrawing the confidence which he formerly reposed. On this part of the Hon. Gent.'s speech I shall not at present further enlarge, but proceed to make a few remarks on some other observations which he adduced.—The Hon. Member laid down the principles by which the declaration of peace or war is regulated with accuracy and precision. By the constitution of this country, this declaration is wisely made to rest with the chief magistrate. If, however, a peace inconsistent with national honour and safety is concluded, I admit most unequivocally with the Hon. Gent. that his Majesty's confidential servants are deeply responsible for the advice which they have given to their Sovereign. The Hon. Gent. has applied the general doctrine to the present situation of the country; and he has argued, that if by the misconduct of Ministers the country has been brought into its present perilous situation, they are deeply and seriously responsible for this situation. To this sentiment I am bound explicitly to assert, and I have no difficulty in saying, that if it can be shewn that his Majesty's Ministers have lost sight of the motives which induced them to recommend to his Majesty the conclusion of the treaty of peace which the Hon. Gent. himself, though in qualified terms, has applauded—if it can be proved that any of the principles which they have hitherto declared to be the guides of their conduct have been departed from, then I will allow to the Hon. Gent. that they have been guilty of a very serious violation of their duty to the House and to the country. But I aver that that step has not been taken by me or my colleagues in office, that no advice has been given respecting the discussions now depending betwixt the two Governments which did not originate from the most ardent desire of preserving the peace, and which was founded in the true spirit of peace. It is with the same views that Ministers thought it their duty to recommend to his Majesty to send to Parliament the message on which the present motion is founded. It was solely with the view of giving the greater probability to the continuance of peace that additional preparations have been recommended. In these preparations Ministers looked forward to the most likely means of bringing the points in dispute to an amicable adjustment. The Hon. Gent. however, insists on the right of the House to explanation. I do not mean at all to dispute the ultimate right of the House to a full and fair explanation on this subject. This right I have already over and over again fully admitted. I do contend, however, that the House have not a constitutional right to demand explanation at a moment when explanation would essentially injure the advantages which Government might derive from existing discussions. It is clear that if Ministers were now to yield to this call for explanation, they might lose most important advantages resulting from concealment, and at the same time give no satisfaction. The points on which different Members require explanation are various and discordant. One Member says, Let us not hazard a war, and therefore let Ministers shew us that their system is conciliatory. Another party are afraid of too much concession, and nothing will satisfy them but a full explanation, to prove that the national honour has not been compromised. What advantage, then, is to be derived from explanation, amid such contrariety of opinion? while, on the other hand, the inconveniencies of explanation under the present circumstances are obvious. It must be clear that when negotiations are pending which have given rise to considerable disputes, if they are brought to an amicable adjustment, this can only be accomplished by concessions on the one side or the other. I ask, then, would it be prudent that the nature of these concessions should, in the present stage of the business, be explained? I believe that a great majority of the House think with me, that such an explanation would be highly inexpedient. From what I now say, I beg, however, that no inference may be drawn to countenance the idea that Ministers have consented, or will consent, to any improper concessions. My observations refer solely to the prudential considerations which would, in the present circumstances, render any explanation highly impolitic and disadvantageous. As to the motion now before the committee, the Hon. Gent. does not object to it: he gives it his cordial acquiescence. He even goes so far as to say, that if the number of seamen proposed to be voted had been greater, he should have given the motion his support. His only objection is founded on the want of explanation, which, I think, has been satisfactorily shewn to be

inexpedient at the present moment. I repeat what I have already more than once distinctly stated, that I hold myself deeply responsible for the course which his Majesty's confidential servants have thought it proper to adopt; but never shall I deviate from the principles which I have laid down on this subject. I trust it will ultimately be found that in the hands of Ministers the security of the country will not be endangered, its rights curtailed, or its honour sullied. I trust that it will be found that no concessions have been made which they will not be able fully to justify by the combined desire of preserving peace and supporting the honour and the independence of the country. I know that in some Gentlemen this language may excite disgust; but if the period shall ever come, which God grant it never may, as it would involve the renewal of hostilities; if ever that time come, I hope the conduct of Ministers will stand fully justified. Whatever may be the result of this; whether Gentlemen shall or shall not be satisfied with such explanation as may be then given, I am ready to hear every objection, rather than violate that duty which prescribes to me the impropriety of affording any explanation of matters now in dispute betwixt the two governments.

Mr. DENT observed, that in the late war we had upwards of 130,000 men engaged in our sea service. The peace establishment had reduced the number to 50,000. The Rt. Hon. Gent. opposite (the Chancellor of the Exchequer) had proposed a vote of 10,000, leaving us an establishment of 60,000. Now, he should propose that instead of 10,000, we should have 25,000, which would give us a naval force of 75,000. This, he supposed, would be fully sufficient for any common exigency, and he would wish Ministers and the country to be safe beyond all possibility of doubt. As to the expression, "God grant that period may never arrive!" used by the Rt. Hon. Gent. he thought it liable to considerable objection. With respect to the outcry raised against this armament, and the consequent effect on the public funds, in his opinion the monied men had reason to complain if property fell 10 per cent. He had heard various reports as to the possibility of what was the cause of these discussions and these armaments. Whether the object was Malta, or whether it was Egypt, he did not wish to pry into the nature of these objects which Ministers had thought fit not to disclose. He thought them entitled to his confidence, and gave it accordingly. There was one point, however, which he could not help lamenting, that was, that we had now come to the eve of war, when we had given up almost every conquest, and we had returned several thousands of seamen to France; and, as far as he could learn, not a farthing of money had been as yet paid by their government to ours. In the fullest conviction of the propriety of the measure, and of the justice of its application, he should conclude with moving the amendment he had already mentioned, namely, "That instead of 10,000, we insert 25,000 seamen and marines in the vote now upon the table."

Mr. FOX. I cannot help feeling some degree of surprise at the language which my Hon. Friend who began the discussion, and the Rt. Hon. Gent. over the way, have used respecting the conversation which took place on the motion for the address, on which the present proposition is founded. I myself certainly began that discussion, but I do not feel that I was guilty of bringing out from any one Gentleman who spoke, a single sentiment or expression which could produce a feeling of rancour or animosity in France, in this country, or any other part of Europe. My Hon. Friend is unwilling to negative the present motion, though he is desirous of an explanation on the grounds on which it is proposed; and the Rt. Hon. Gent. is surprised that this explanation is demanded, when my Hon. Friend expresses his readiness to vote for even a much larger number of seamen, if such a number were necessary to the public service. I am as ready as any Member to vote for the proposed addition of seamen, on the principle that they are necessary for the public service; but I have at present no better ground for my vote than if 25,000, 100,000, or any other number of additional seamen had been proposed. My objection rests on this plain, constitutional ground, that as representatives of the people in the proper discharge of our duty, we have a right to have the causes of these increased preparations explained, and not be called upon to vote on the unlimited confidence which we choose to repose for a time in Ministers. I have always understood that the prerogative of the Crown to conclude a peace was clear and undisputed; and I can have no difficulty in agreeing with the sentiments which my Hon. Friend entertains on this point. I certainly do agree with him, that those who have counselled his Majesty to conclude any peace, are responsible for the merit of the terms of that peace, and are liable to censure if they appear inconsistent with the national honour and safety. I cannot, however, allow, that after the peace has been concluded, and after its terms have been canvassed and approved, if circumstances occur which render the continuance of peace impossible, Ministers are to be necessarily accused of having, by their conduct, produced these circumstances. With respect to his Majesty's right of declaring war, there was as little doubt in theory, but in practice a very important distinction existed. In this declaration might be involved every principle of a free constitution, every thing connected

with the property, nay, the very existence of the subject. The Sovereign might be ill advised, and experience had fully proved that this is not merely a possible case. The country might be plunged into a war, of which it was impossible to see either the equity or the necessity. It might be continued against the will of the Parliament or the people; and the whole, or part of every man's property might be wrested from him, if in practice this prerogative of the Crown were carried to all the extent which theory supposed. But such a construction of the prerogative strikes every one in a moment as monstrous: and while in theory we admit the power of the Sovereign to declare war, in practice and in substance we possess the privilege by which alone that declaration can be carried into effect. This privilege is founded in the means we possess of giving or withholding the necessary supplies. This has an operation to the prevention of war to a considerable degree, though it is only the privilege of the purse which we enjoy: this House must therefore be necessarily parties to every war. How is this to be done? Why, the mode of our becoming parties is simple. His Majesty all in cases states to us the grounds on which he has thought a declaration of war necessary; and he calls upon us to grant the supplies necessary for the prosecution of this contest. We all know that instances are not wanting in which the Sovereign has been compelled to relinquish a war, because Parliament, convinced of its injustice and ruinous effects, no longer afforded the supplies. I will not here determine how far the American war was put an end to by the voice of Parliament; but there is one striking instance in which a war was put an end to by the exercise of this constitutional power, and that was the instance in which the Parliament of Charles II. compelled that prince to relinquish the Dutch war. Now how does the case stand at present? and here I will rest my argument. We know that in practice armaments precede any official communication from the Throne, or any vote of supply; and I trust, that, if danger really exists, armaments are now going on with a rapidity correspondent to the emergency on which they are founded. The certain effect of the vote is only to make us direct parties to any war to which these armaments may be applied. What I object to then, is simply, that I have heard no grounds stated to justify any extraordinary preparation; and therefore I must, on constitutional principles, enter my protest against the mode of proceeding which has been adopted. The case of the Russian armament is one in which many persons were desirous to pursue a course similar to that now proposed to be adopted; but I do not think, when the consequences of that armament are considered, that the proceedings then adopted will be very likely to encourage imitation. I hope I may be allowed to reason hypothetically respecting the independence of Parliament in granting supplies for carrying on any war. I trust that we are not necessarily to be constantly guided by a spirit of humble docility, though our independence may appear more clearly in theory than in any cases of modern or recent experience. In whatever we choose to exercise our constitutional right, the possibility of its exercise will not be disputed. Possibly we might think that negotiation was preferable at a moment when Ministers had plunged the country in war; or, on the other hand, we might suppose, that measures of a more vigorous description would have done much more for the national honour than any negotiation: and how is our opinion to be expressed, except in withholding the supplies before we bind ourselves to become parties to a war? I therefore, for one, contend against the House of Commons being a mere echo, a mere docile receiver of whatever communication Ministers may think proper to make under the form of a message from the Throne. I do not wish to flatter Ministers when I say, that I believe that the preparations which have been recommended are founded on a firm and honest conviction of their expediency. I will not suppose that they would willingly, and without reference to any one object of advantage, take such steps if they did not imagine that they were essential to the interests of the country. Their interest, as well as their character, equally forbid me to suppose, that in this instance they are deceiving the House or the public. This I have no difficulty in stating generally, though I must add, that instances of the guilt to which I have now alluded, are not entirely unknown. But let Gentlemen recollect, that, with the best intentions in the world, Ministers are liable to error; and that what they conceive to be wise and politic, might, if explained, appear unwise and inexpedient. This I must only say, that we are totally without all means of forming any judgment. In the message of his Majesty, or in the speech of the Rt. Hon. Gent. there is not a single word stated by which I can venture to form any opinion of the points in dispute. A great deal has been said with the view of shewing, that, if a rupture should take place, it would be only the natural result of the treaty of Amiens. Now, I am one of those who hold a very different opinion; and without hesitation I say, that, if war does now take place, there is no necessity for supposing that it has the slightest connexion with that treaty, or that this was a treaty not fit to be concluded. I thought, and I have seen no reason to alter my opinion, that the treaty of Amiens was an eligible treaty; not eligible compared with other treaties, that under other circumstances might have been formed, but eligible as freeing the country from a most destructive war. Are

we to be told that Ministers dare to make no peace, because the unreasonable ambition of France may now drive us to the renewal of hostilities? Are we to be told that we were to wage warfare till we had obtained a satisfactory assurance on the part of the enemy, of a sincere desire to cultivate all the blessings of tranquillity in the true spirit of peace? No reasonable man will, I believe, hold so extraordinary an opinion as that which I have now stated. It may be further urged against Ministers, that since the conclusion of peace they have shewn too much forbearance, that they have acted too much in the spirit of concession. How far this charge is true, I have no means of determining, though there appears no reason to conclude that their disposition to conciliation has gone beyond a commendable desire to preserve the peace. If they have been guilty of such forbearance or concession as has in the smallest degree compromised the honour or safety of the country, unquestionably their conduct has been highly criminal; but this is no consequence of their having concluded the treaty of Amiens. But perhaps, we are to be told, that it was impolitic to make peace till we had a vigorous administration to support it. I certainly do not think that want of vigour in any administration is a sufficient reason for not entering into a war, if a legitimate cause of war exists. As an objection to the conclusion of peace, it is one of the most ridiculous and inconclusive that ever was brought forward. If Ministers have conceded too much, or done too little for the support of the honour of the country, they have incurred a very grave responsibility; but let not this be laid to the charge of the treaty of Amiens. If I am fond of that treaty, it is because it was the means of ridding us of incumbrances of the most oppressive kind; not that it freed us from connexion with allies, for allies we had none at the time it was concluded; but that it delivered us from the detestable and abominable principles on which the late war was conducted. I do sincerely hope that we shall hear nothing more of wars undertaken for religion and social order. I speak not disrespectfully of religion or of the blessings of social order; but I speak of that detestable hypocrisy which held forth these as the ostensible objects of contest, while we were all along fighting for ends of a nature totally different and opposite. I believe that such hypocrisy is for ever destroyed; and I trust that as long as a sentiment of justice, as long as a detestation of such base and infamous deception, shall be reprobated among men, such attempts to impose on a generous people must be held in eternal execration. If, unfortunately, we are to be doomed to a renewal of hostilities, I hope that the object of the war will be clearly and distinctly understood. Of what are the subjects which may eventually lead to such an unfortunate result, I profess to be totally ignorant. Whether they refer to the possession of Malta, the evacuation of Alexandria, or whatever other point of discussion they involve, I have no means of forming an opinion. I shall just say generally, that if our national rights are involved, if attempts have been made to lower that rank which we have been accustomed to hold among the states of Europe, and all attempts at amicable adjustment have failed, then I have no difficulty in saying, that a war, undertaken under such circumstances, would be just. Of the necessity and policy of such a war no man can for a moment doubt. But I know it is said that it is necessary to hold out to the people some ostensible object of war beyond what is the real object of contest: without this sort of language the national enthusiasm cannot be animated. This I hold to be a very false and a very pernicious doctrine. If a war is really necessary, I am convinced that no measure of this sort need be resorted to to animate the national spirit. False pretensions and high-sounding words do not appear to me to be likely to animate the energies of a people. Nothing, indeed, in my conception, so much dispirits a people called upon to make great exertions, as ignorance of the precise object of contest; and this ignorance was, I am fully persuaded, one of the leading causes of the evils which the late calamitous contest entailed on the country. After the experience of these calamities, no one would wish to go to war for a light object. On this point I shall speak in very plain terms. If war is unavoidable for great national objects, then I am convinced it will be sustained with a corresponding national energy; but at all events let that object be fairly and fully defined. Do not let us again involve the country in the same calamities which the want of a specific object has already made us so severely experience. It was the want of this specific object which made the people cold and uninterested through a great part of the late contest, so far as events on the continent were concerned, though loyal and unanimous in the defence of the country. I hope and trust then, that before Ministers call on us to be parties in another war, they will fairly explain the circumstances which have given rise to it, and the object for which it is begun. The Rt. Hon. Gent. opposite has said a great deal of the responsibility which attaches to Ministers from their present conduct; and in this I fully agree with him. He has said something of the reproach which he may have to encounter for too great liberality of concession. On this point allow me just to express my confidence, that he will never be induced by any fear of reproach to abandon a system of conciliation, so long as it is consistent with honour, and promises to lead to an amicable result. I shall not readily be

accused of endeavouring to influence Ministers to go to the opposite extreme. But while I am the advocate of conciliation, I shall never be the apologist of dishonour. My Hon. Friend has spoken of the present government as excluding the whole ability of the kingdom. On this point I wish not at present to enter: but I may be just permitted to say, that in the prospect of war, with such a man as Earl St. Vincent at the head of the Board of Admiralty, there would be little reason to dread the want of suitable preparation; and the signal naval triumphs of the late war afford us the best grounds to hope for future success. Of the merits of our land forces no man thinks more highly than I do. I am no military man myself; but forming my judgment on the opinion of those best qualified to speak on this subject, I believe that we have officers equal in skill and in courage to any officers in Europe. Of our troops, my opinion is not less favourable. I am convinced, that in any contest in which they might be called upon to engage, they would be found fully to support the character which they have so long maintained. Of what then should I be afraid in the event of the renewal of war? Of subjugation to France! The idea cannot for a moment be indulged. When, however, I consider the many vulnerable points in our situation—when I take a view of the whole state of the empire—when I look even to our financial resources, though in some points of view their appearance is flourishing—when I take all these things into consideration, I cannot but think the renewal of war is a most grievous calamity. Though for years we should on every occasion be successful, though every expedition should be crowned with glory, still prolongation, even of a successful contest, could not but be infinitely calamitous.—The Hon. Member, after a few more remarks, concluded by declaring that he should not vote against the motion.

Mr. FRANCIS begged the permission of the committee that he might explain the sentiment which had fallen from him in the course of his former speech, and which had been alluded to by the Hon. Member who spoke last. He certainly did say, that "the whole ability of the nation was excluded from its councils;" but, at the same time that he said this, he wished it to be understood that he entertained the highest respect for both our army and our navy; it was not only the Noble Lord (St. Vincent) to whom his Hon. Friend had alluded; but he was convinced that there were many, very many men of the first ability in the country engaged in both these departments. He therefore did not intend that they should by any means be included in that general expression.

Mr. BURROUGHS declared that he thought it an outrage on the constitution for any Gentleman to demand or require any explanation at the present crisis. Ministers ought not, under the present circumstances, to disclose any information which, in consequence of their official capacity, they might be possessed of; it was contrary to their duty to do so. Other Gentlemen might entertain their particular objections to the measure now before the House; but, for his part, he thought it fit and proper to attend to tne words of his Majesty's message. It stated that great armaments were preparing in the ports of France and Holland, and that at the same time important discussions are going on between their government and ours. Under such circumstances he thought it our duty to arm also; and the demand of 10,000 seamen appeared to him very moderate; so much so, indeed, that he was inclined to draw a very satisfactory inference from thence, and conclude that war was not inevitable. If Ministers had come forward with a demand to the amount an Hon. Gent. had just now proposed (Mr. Dent), of 25,000 men, he then should have taken alarm, and concluded that war was certain; but with this moderate supply he was perfectly satisfied, and he thought it the best ground for confidence in Ministers, that we see they are not disposed to leave the shores of this country, or of Ireland, in a defenceless state. We were not now engaged, the Hon. Gent. said, in actual hostilities; but if we were, we had this consolation, that we were not fallen or degraded as other nations were; we were still in a situation capable of exertion sufficient to resist the ambition or the baseness of any neighbour, however powerful he might be. He should now conclude with giving his most hearty assent to the vote upon their table.

Lord HAWKESBURY next rose.—I agree, said he, with the Hon. Gent. who spoke last in much of what they have advanced on the present occasion. But I chiefly rise shortly to observe on the doctrine which the Hon. Gent. opposite to me (Mr. Fox) has endeavoured to inculcate. I perfectly acquiesce with him, indeed, in the general constitutional principle on which he seemed disposed to ground his observations; and differ with him only respecting the application which he has made of it. No doubt there is a wide difference between the prerogative of the Crown, when it is exercised in negotiating and concluding peace, and when it is exerted in preparations for and a declaration of war. In opening negotiations for peace, and in concluding them, the exercise of the prerogative of the Crown is unlimited; though it be competent afterwards for Parliament to canvass and consider the nature of the conditions upon which peace has been concluded, and to impeach Ministers and propose their removal from office, if the terms of the treaty betray incapacity on their part. But as the question of war involves a much greater magnitude of

difficulties and dangers, so should the House be placed (and in reality it so stands) in a very different posture respecting that momentous question. Most undoubtedly the Hon. Gent. (Mr. Fox) is perfectly justified in asserting that the prerogative of this House in granting or withholding the supplies, should be held as sacred as that of his Majesty in declaring war; and though the House may not possess a negative on the act of declaring war, yet it most certainly can exert a practical negative on the continuance or the termination of a war, by granting or withholding the supplies necessary to its prosecution. This privilege of the House grows out of the nature of the constitution, and I hold it, with the Hon. Gent. as highly essential to the interests and rights of the nation.—As to the degree of information which, on points like the present, the House is entitled to call for on Ministers, I must now beg leave to offer a few observations. In cases like the present, where the objects in view are not brought to a conclusion, and where measures, simply of precaution, are proposed, Ministers may think it their duty not to afford more than what may justify the measure they bring forward. After the circumstances which called for that measure are brought to issue, then if the degree of information that has been afforded to the House appear insufficient, is it not in the power of the House to move an address to his Majesty for the production of additional and more satisfactory information?—The case of war is, no doubt, a case which *primâ facie* would justify Parliament in calling for all possible information: it is the duty, and the serious duty of Parliament to inquire into the grounds and causes of war, and cautiously to examine whether they be necessary and just. But in a case of peace, although the terms of that peace might not be looked upon as satisfactory, yet the same degree of information respecting the mode in which it was negotiated should not be insisted upon. Besides, the two cases differ materially from each other. The inconveniencies that may attend the one are much greater than what might ensue from the other. In the case of war, those inconveniencies are comparatively small: but in that of peace, after all differences and bickerings were amicably adjusted and composed, how serious might be the inconveniencies that would result from exposing to Parliament all the irritating circumstances that may have attended the progress of a negotiation, while no one adequate advantage or benefit could be expected from an uncalled for revealing of them? Neither am I here going so far as to say, that if peace should be the result, no information should be afforded respecting such an event. I merely contend, that such disclosures should be allowed much to depend on circumstances, much on the nature of the arrangement concluded, and much on the prudence of Ministers, respecting what might be proper for them to disclose. These few observations, I imagine, were called for upon the general principle, and the nature of the doctrine which the Hon. Gent. (Mr. Fox) has laid down.—The House, I trust, will now indulge me in a remark or two upon the application of it; but first I must beg leave to advert to an expression which dropped from the Hon. Gent. (Mr. Fox) in the course of his observations. The expression I allude to is that in which the Hon. Gent. seemed to insinuate, that by the vote given on the question now before the House, the House would be committed to approve a war. I here again am ready to repeat, that the House should not give its countenance to any war, unless it were in complete possession of the grounds on which that war was to be entered on, and thereby be enabled to judge whether it was just and necessary, or otherwise. But neither by the vote of this night, nor by that given on a former night on the question of the address, was the House by any means committed to support a war. Ministers called merely for the means of taking such precautions as prudence might suggest, while negotiations were subsisting, and while preparations were making on the part of one of the powers, which, on a contrary issue to that which was earnestly looked for, might be converted into means of hostile aggression. The same information was therefore not to be expected in the case of an armament, proposed under such circumstances, as if it was definitively intended for the resumption of hostilities. The Hon. Gent. in alluding to the Russian armament, seemed inclined to assimilate it to the present case; but the comparison I do not think very just. That was a question upon which a great difference of opinion prevailed, and the Hon. Gent.'s own reasoning upon it did not well apply to the present measure. Could a war between Russia and Turkey immediately affect our security? or rather, was not that armament intended to maintain the political balance of power? If that armament had no other object in view than the maintenance of the balance of power, and was embarked in for political reasons only, then perhaps I might say, let us have no war with Russia for such reasons. There have, however, been times and circumstances when a mere armament in the ports of a rival power (in the port of Brest, for example), though there appeared no adequate reason to suppose it to be intended for hostile purposes, yet I conceive it should induce Government to arm in like manner here; and how could such an armament be prepared without a message from his Majesty, such as has been brought down upon the present occasion? If then, in such a case, an armament is judged advisable, how much more expedient, or rather necessary, must it be to adopt a similar precaution, when not only a large armament is fitting out in the ports of a rival nation, but even while to that

circumstance is added a pending negotiation of considerable importance. For even although that armament should really be intended for its avowed purposes, yet if the negotiation ended in a rupture, would the House, in such a possible case, hesitate to vote the number of seamen now proposed, even as a measure of mere precaution? In that light alone it should now be viewed, nor would the vote of this night pledge Parliament to any thing farther. The subject would still be open to further inquiry and discussion, when further communications should be received respecting the progress or issue of the negotiation. Even my Rt. Hon. Friend (the Chancellor of the Exchequer) has also assured the House, that no attempt should be made to commit Parliament any further, without his previously having laid before them every possible information upon which to form a fair and accurate judgment of the case.—Now let me assure those Hon. Gent. (Mr. Fox and Mr. Francis), that Ministers do not pretend to call for any greater degree of confidence than what the spirit of the constitution usually grants to persons in their situation, a degree of confidence which is generally afforded to Government, to whatever hands it may be intrusted; and no greater degree of confidence has any Ministry a right to demand than what is founded on the opinion Parliament entertains of their principles and conduct. All that I request or can expect on the present or any future occasion is, that Ministers be fairly dealt with, and that the House do not prejudge their conduct, unless, upon due examination and inquiry, they find we have forfeited their confidence. From the first hour we entered into office, we had severe difficulties to struggle with, and our best efforts have been eagerly exerted in performing our duty to our King and country. Whatever our conduct may be, we shall always be ready to explain it, and to lay before the House every possible ground by which that conduct may be judged, in the hopes that the circumstances attending it will be fairly considered, and that we may be permitted to stand or fall in the opinion of Parliament and the country. As to the proposed amendment, I do not well see how the House can possibly adopt it. It was usual enough for the House to agree to the number of men proposed to be voted; but there were few instances in which a greater number was proposed. If the present question was agreed to, our naval force would consist of 60,000 men; and if hereafter it should appear that a larger number was necessary, there would be no difficulty in increasing it.

Mr. Fox, in explanation, said, that he was happy to have the Noble Lord's concurrence in the constitutional principle he had advanced. When he said that the vote of this night would make the House parties to the war, he perhaps might have expressed himself more accurately by saying, that it would make them parties to the armament; and should the armament produce a war, then would not the House be indirectly, at least, parties to it? It is notorious that armaments are preparing in the ports of France and Holland, but their destination is not positively known; yet it may be proper to arm in consequence: but the House was not merely told of the existence of those armaments, but they were also informed that important negotiations were subsisting between the two countries; when, therefore, the discussion is coupled with the armament, the House is made a party not only to the armament, but is also called upon to sanction the importance of the negotiation with which it is connected. The Hon. Gent. in support of his opinion, that more information should be given before the House agreed to the vote, quoted two motions made by an Hon. Friend of his (Mr. T. Grenville) at the time when the Russian armament was proposed: the tendency of those motions was, that it was the duty of Parliament duly to inquire into those objects for which fresh burdens were to be imposed on the people. Did the House inquire sufficiently into the object that now called for fresh burdens on the country? If they did not, they deviated from the spirit of the constitution, which says, Do not vote away the money of the people without solid reasons to justify such a vote.

Lord HAWKESBURY explained, and said, that if, on the mere ground of an armament on the part of a rival power, it was right to propose a proportionate armament on the side of this country, surely such a measure of precaution must be doubly necessary when the armament was connected with a negotiation which possibly might terminate in a rupture.

Mr. ELLIOTT complained of the scarcity of information with which the House had been supplied. He was always willing to give every support in his power towards the defence of the country, whenever Ministers urged a sufficient reason, or the necessities of the country appeared to demand it; but he must complain of the sort of systematic darkness in which Ministers wished to keep that House. In former times the custom constantly prevailed, whenever such a vote was submitted to the House as that now upon their table, uniformly to afford the most full and satisfactory information as to the nature of the case, that they might judge whether it was such as properly required the vote proposed by Administration. Ever since the treaty of Amiens had been concluded, that House had not been put in possession of a single word of information as to the exterior relations of the country. The parliamentary history of the country justified him in the observation, that it was extremely improper and unwise to go on session after session, without such information as we had formerly been accustomed to receive when votes of men and money were demanded.

However, considering himself not pledged to any thing further than as a measure of precaution, he gave his vote for the measure now before the committee.

Mr. CANNING began by observing, that the difficulty he felt in rising on the present occasion was greatly lessened by the speeches he had just heard. When he rose to express his sentiments on a former question (the motion on the address), it was by no means his intention to disturb the unanimity by which that question was carried: all he wished then was to obtain some information; but on calling for it he received for answer, which, no doubt, conveyed great news to him, viz. that he was at liberty to move for such papers as might afford him information. Information he should not now look for. He was now so situated, that there could be no doubt about his vote on the present question. When the country was stated to be in danger, he should not pause to ask in what kind of hands the reins of government were placed. He was ready and anxious to go as far as any man in endeavouring to place the country in a state of security; but if Ministers give no precise idea of the degree of the danger, how was the House enabled to proportion the means of defence? He should willingly vote for the number of seamen proposed by Ministers, or for any other means of defence the nature of our circumstances might require. Those means of defence are called for on two grounds stated in both parts of the address: one, the armaments in the ports of France and Holland; the other, the armament as connected with the negotiations now subsisting. His Noble Friend (Lord Hawkesbury) had observed that a mere armament, in a state of profound peace, was sufficient to justify a similar armament on the part of this country, without adducing any information in support of the measure, but the mere appearances. Agreed: but the case before the House was different. There were additional circumstances in the present case, which called for additional information; and when both were joined together, the necessity of information was still more urgent. On a former occasion, when the first expedition sailed from France for St. Domingo, how were those persons treated by Ministers who ventured to call in question the innocence and sincerity of Buonaparté's intentions? Were they not arraigned as endeavouring to create ill blood between the two countries? Now, however, the intentions of the First Consul may be questioned without dreading any rebuke from Ministers. They even go so far as to put doubts in the mouth of his Majesty respecting the destination of the armaments carrying on in the French ports. The armament at the present moment would no doubt be unanimously approved of as a measure of precaution; but as soon as the appearance or apprehension of danger passed over, some Gentlemen might think differently about it. Many who now cheerfully voted for it, would think it no longer necessary, if they found the French expeditions had sailed for their destination. He should not be of that number. It was not against invasion only that we should be prepared; we should be so armed—we should arm Ministers with a force to enable them to bring to issue those discussions which had long, too long been depending. They should be enabled to change a nominal and insecure repose into a real and solid peace. He was ready to confer any power on them by which they might convert doubt into certainty, mystery into eclaircissement. He was anxious to behold the treaty of Amiens consolidated—at length to be informed what the country had to expect, and when it was to enjoy the real blessings of peace, instead of being left in a situation worse than that of any war—a situation which had no name or example in history—a situation which exposed the country to a degree of agitation, anxiety, and alarm, greater than accompanied any war—a situation which had given a greater shock to public confidence and public quiet than any contest the country could possibly be engaged in. It was indeed to be hoped that a real peace might be obtained without the renewal of hostilities; but then it must be obtained by a firm tone, by vigorous measures, by cordial unanimity. But after being so long baffled and deluded, if Ministers should let the present opportunity escape from them, in what state would the country be left, but in that slumber which did not recruit her strength, but harassed her imagination with terrific dreams? If Ministers did not employ the resources of the country to rescue it once for all from so deplorable a situation, they would frustrate the object of the present vote, and disappoint the hopes which the House might be inclined to entertain from its unanimity.

Sir WILLIAM PULTENEY observed, that the country might be reluctant to enter into a war, of which the people could not perceive the precise object. But if once they were shewn and enabled to see that a war was unavoidable, they would cordially and unanimously determine upon a vigorous prosecution of it. An Hon. Gent. (Mr. Fox) had said, that if the armament in the French ports alone was proposed as the ground of adopting measures of precaution, he should not call for any information to induce him to support the question; but when that measure of precaution had further in view a pending negotiation, then he conceived that some further information should be given to the House. He differed entirely from the Hon. Gent. on this point, for it must be injurious to all negotiations that unseasonable information should be called for or granted respecting them. If secrecy was not necessary on such occasions, why intrust the power of war or peace to the executive government? Producing information on such subjects, could only irritate—si-

lence and secrecy promoted pacification. Besides, Ministers were under an awful responsibility, and would they attempt to carry on a war, while the House had the power to say No, and refuse the supplies? Now, in his opinion, was the time to shew all Europe that this country was prepared for any alternative. He hoped, indeed, it was so prepared as to be enabled to meet any hostile attempt, not only with its fleets, but that precautions were also taken for its internal defence and security. That the country was not able to enter into such a contest, he could not agree with the Hon. Gent. (Mr. Fox). It was as able as ever; and since, to every considerate observer, it must appear that a struggle must come between England and France, it was better it should come now than hereafter. France was not so well prepared to meet it as some persons would imagine, while this country was never better able to enter the lists with her. It was obvious a struggle between the two countries cannot be far distant; it would be a terrible one, and must require all our united strength and best-combined exertions.

Mr. TRENCH said, he thought proper to make two observations to the committee: the one respecting a remark made by an Hon. Gent. (Mr. Canning) as to the words of his Majesty's message—"avowedly for colonial purposes." That Hon. Gent. has said, that such words being put into that most gracious communication, indicated a doubt of Buonaparté's good intention, which, perhaps, in all the circumstances, Ministers were not warranted in doing. The Hon. Gent. (Mr. Trench) observed on this, that an enemy, or person having hostile intentions against the country, most certainly would not acquaint us with what was the nature of his designs; therefore, as we at present could only have their declaration upon the fact of the armament, of which, no doubt, his Majesty's Ministers have certain information, we could consider this as no other than the avowed purpose. The other was, with respect to a point in the speech of an Hon. Gent. opposite (Mr. Fox): he had declared, that he should not think himself nor the House committed as to the war, by the vote which he or they might give to the measure now submitted to their consideration: he (Mr. Trench) should go farther than him; he should say he did not consider himself pledged even to the armament, by voting as he now did for the supply, which was the object of the present committee; he considered himself as only pledged to a measure of precaution.

Mr. S. THORNTON professed himself ready, not only to vote for the 10,000 seamen, but also to propose the means of raising them immediately.

Mr. CANNING advised his Hon. Friend (Mr. Dent) to withdraw his amendment; observing, that, if he persisted in it, it might endanger that unanimity which was so very desirable on the present occasion.

Mr. DENT acquiesced, with the consent of the House.

The question was then put on the resolution, and agreed to *nem. con.*

HOUSE OF LORDS.

Monday, Mar. 14.—*(See Minutes, p.* 428.)

[PRINCE OF WALES'S ANNUITY BILL.]—Lord PELHAM moved the order of the day for the second reading of the Prince of Wales's annuity bill; which being read, the Noble Secretary of State observed, he deemed it unnecessary to trouble their Lordships at any length in the present instance. It was generally known to the House, that by the bill for the arrangement of his R. H.'s affairs in 1795, a portion of the aggregate then allotted him was set apart and vested in Commissioners, for the gradual discharge of his R. H.'s debts. The present bill proceeded from his Majesty's gracious message to both Houses on the occasion, and was meant in a great degree as an anticipation of the act of 1795, and by it the operation of that act for discharging the remaining debts in four years, was fully provided for. But his Majesty, desirous that so illustrious a branch of his Royal Family as the Prince of Wales, should be restored to that degree of state and dignity becoming his rank and station, had sent the communication alluded to to Parliament, and upon which the present bill was founded. With these observations, in the present instance, he should move that the bill be now read a second time.

The Earl of MOIRA said, he should detain their Lordships very shortly on the present occasion; but as he had the honour of being one of his R. H.'s council for the dutchy of Cornwall, he had authority to declare, that his R. H. felt the most dutiful and affectionate regard, first, to his Majesty, for his most gracious interposition, and to Parliament for its liberality on the occasion, as manifested by the present bill. However, he thought it necessary to state on the part of his R. H. that there still remained some claims upon him, which in honour and justice he felt it incumbent on him to discharge: for this purpose he should think it necessary to create a pretty large sinking fund out of the aggregate of his income, as it was the wish of his R. H. that those claims should be cleared off previously to his assuming that degree of state and dignity with which the public at large, and the Parliament, had expressed their wishes to see the Heir Apparent of the Crown invested. These claims were not of a secret nature; the public were aware of them; it was therefore unnecessary to go into a discussion of them

at present; but his R. H. thought it proper to have thus much stated, in order to avoid any imputation of unfairness on his part, of having, in the least, contributed to baulk the public expectation in seeing him immediately resume his full state and dignity. With respect to his R. H's claims on the revenues of the dutchy of Cornwall, from 1762 to 1783, he had, from the best legal advice, been satisfied of the validity of those claims, and accordingly instituted a suit for their recovery; but in consideration of his Majesty's royal interposition, and the liberal conduct of Parliament, with respect to the present bill, added to other considerations, which to the infinite honour of his R. H. had made a due impression on his mind, he had given directions to his law officers to drop the suit.

The Earl of CARLISLE observed, it might be in the recollection of their Lordships, what he said on a former occasion relative to his intention to bring forward a specific proposition on the subject before the House. That intention might have remained, did not some very serious and important considerations induce him to depart from it. First, the satisfactory statement they had heard from the Noble Earl who last spoke, which may be regarded to a certain degree as coming from authority, should, with a reference to the respect and decorum which they all felt due to the illustrious personage in question, induce him to forego it. Another consideration, and which operated still more forcibly upon his mind, arose out of the great and important change in public affairs, since the interval alluded to—the magnitude and importance of the political communications made from authority to Parliament in the course of last week, should swallow up every inferior consideration, and primarily ingross the deliberations of both Houses. The country he regarded as in a perilous crisis:—the utmost vigilance both of Parliament and the Administration were requisite at present; the wisdom of the former, and the exertions of the latter, should be called forth to avert the danger. Under such circumstances, therefore, he was unwilling to take any steps that might tend ever so slightly to embarrass Ministers, or to divert their attention from the present posture of affairs; and so determining, he would support the bill.

The Earl of DARNLEY rose, principally to animadvert on an expression which had fallen from the Noble Earl who had just sat down. He would not, he said, admit the country to be in a perilous situation. Were the conduct of Ministers different from what it was, were they less alert and vigorous, did they remain supine, listless, and inactive upon their posts, then indeed the country might be said to be in such circumstances. But when they saw the Sovereign coming forward to his Parliament on the occasion, as they had done; when they saw that Parliament so cordially unanimous in the support of measures to strengthen the hands of his Majesty, and the public spirit so generally aroused as it was, the nation could not be said to be in perilous circumstances; on the contrary, their feelings should, instead of despondency, be those of exultation.

The Duke of NORFOLK, in the course of his observations upon the subject, expressed his dissatisfaction at the measure which had been adopted, as falling short of the object professedly in view. He thought the Heir Apparent should be enabled, not only to live in ease and affluence, but to display a splendour superior to that of the richest private nobleman. He seemed impressed with these considerations so fully, that were it constitutionally regular to originate a bill of this description in their Lordships' house, he would be induced to propose the rejection of the present bill, in order to bring in one on the principles he had alluded to.

The Earl of CARNARVON spoke at some length, and in a certain degree took a similar ground with the Noble Duke. He strongly expressed his disapprobation of the bill, conceiving it not to be one formed upon the genuine principles adverted to in his Majesty's message; it was rather, he thought, in its operation and effect (with a reference to the arrears of the dutchy), a bill for paying off a part of the civil list debts, &c. Pursuing this line of argument for some time, he concluded with expressing his dissent from the bill.

Lord PELHAM spoke in explanation at some length. He contended that the measure in question had nothing whatever to do with the civil list. The money alluded to by the Noble Earl had been wholly applied to state services. For his part, he highly approved of the course adopted. The Noble Secretary observed, that a direct interference on the part of Parliament in the concerns of the Royal Family was at best but an awkward thing. He thought all proceedings of that kind should always proceed from the latter quarter. In concluding, he expressed his approbation of what had been stated by a Noble Earl (Moira).

The Earl of MOIRA spoke also at some length in explanation, and scouted the idea of any thing of the nature of a compromise having taken place. With as little propriety, he observed, could the bill be considered as in any mode paying off the debts of the civil list, or of the Crown, as it had never been at any time or by any person considered, that the revenues of the dutchy, during the interval in question, had been applied to the private uses of the Sovereign, or to the purposes of the civil list, but that they had been applied to the public exigencies of state. Had it been a question between his R. H. and the Sovereign, Parliament, he observed, would have never

heard a word upon the subject; that illustrious personage knew his duty too well, and had too delicate a sense of his situation, to have troubled Parliament with any matters respecting his individual interests which could affect the quiet or repose of that illustrious family of which he was so distinguished a branch. The Prince's conduct, so far from being regarded in the light of a compromise, or wearing any appearance of it, should be, and truly is, regarded in the most dignified point of view, and as a spontaneous act of magnanimity on the part of the Prince, who never wished for the possession of those arrears, with any other view than to enable him to pay off those demands which he felt it incumbent upon him, in duty and in honour, to discharge.

The Earl of Suffolk shortly expressed his opinion, that, considering the comparative value of money at the different periods of making the arrangements for the establishment of his R. H. and those of his Royal grandfather, the income of the former should be double what it had been made.

The bill was then read a second time, and committed for next day.

HOUSE OF COMMONS.

Monday, March 14. *(See Minutes, p.* 428.)

[Middlesex election.]—Mr. Sheridan moved, that Mr. Mainwaring, the Rev. Wm. Winkfield, and J. Wm. Knap, who have complained of an undue election for the county of Middlesex, should be ordered by the House to send in a list of the persons who have polled for Mr. Mainwaring, together with other objections to the sitting member; and that the sitting member be ordered to send a list of the persons who polled for him, on or before the 7th of April.

Sir Robert Buxton said, he thought the time mentioned by the Hon. Gent. was too short, for the preparation of the list now called for, as the committee would not sit till the 21st of May; he therefore did not think there was time enough to prepare the list.

Mr. Sheridan said, he never heard such a strange objection as the Hon. Gent. had just made; he did not see much difference as to the length of time, between the 7th of April and the 21st of May. It was now seven months since the election took place; he therefore thought that time enough had been granted to each party, to be ready with every thing connected with the Middlesex election.

Mr. Bragge said, it was a question of doubt with him, whether the merits of the Middlesex petition could be tried this session; and as an Hon. Gent. opposite to him had very properly observed, that the House could ballot but two committees a week, he thought the Middlesex petition could not, at all events, be tried till the 2d of June. He believed that the time generally allowed for the exchange of lists was a month. Under all these circumstances he thought the first of May a period that would not be objected to for the delivering the lists now moved for by the Hon. Gent.

Mr. Sheridan said, that Mr. Mainwaring's agent had called on Sir Francis Burdett's solicitor, who agreed to the 7th of April as a period for the delivery of the lists.

Mr. Fox observed, that he had understood from the Chancellor of the Exchequer, that only two ballots a week were to take place prior to the holydays, in consequence of many gentlemen having to attend the sessions and other public business, which rendered it inconvenient, nay, impossible for them to pay close attention to the business of that House, till after the holydays. The ballots, he understood, were then to go on as usual.

After a few observations from the Chancellor of the Exchequer, the question was put, and the first of May was the time agreed to by the House for receiving the lists of each party.

[India budget.]—Lord Castlereagh moved the order of the day for the House going into a committee on accounts presented respecting the East India Company.

The House having resolved itself into a committee,

Lord Castlereagh said, that the committee would be aware that many of the observations which he had to submit to their consideration, respected the accounts which had been presented to the House last session. The accounts for the last year had not been received from India, otherwise it would have been his wish to have brought both the accounts under the consideration of the House at the same time. But as the House must wish to know the present state of the affairs of the East India Company, as they must be naturally anxious to know what measures the finances of the East India Company would enable them to take for the liquidation of their debt, he should now, with the permission of the committee, proceed to call their attention to the accounts which, as he had before stated, were laid upon the table of the House in the last session of Parliament. The affairs of the East India Company naturally divided themselves into two classes, viz. those abroad and those at home. Their affairs abroad were divided into three distinct heads, namely, 1st, the revenues and charges; 2d, the extent of, and provision for, the investments; and, 3d, the state of their debt and their assets. With

respect to the revenues, he would state them first upon an average of three years, compared with one year preceding; 2dly, he would make a comparison between the estimated amount and the actual amount of the revenue of the last year; and, 3dly, the estimated revenue for the succeeding year. He should therefore now proceed to state the revenues, charges, and estimates with respect to

BENGAL.

Revenues—Average 1798-9 to 1800-1		£.6,436,807
More than average last drawn		289,776
Estimated for 1800-1		6,339,203
Actual amount	—	6,658,334
More than estimate	—	319,131
Charges—Estimated for 1800-1	—	4,422,047
Actual amount	—	4,780,611
More than estimate	—	358,564
Deduct excess of revenue from excess of charge, the net revenue is less than estimated		39,433
And the net revenue for 1800-1 is		1,877,723

ESTIMATES 1801-2.

Revenues	—	—	—	7,051,164
Charges	—	—	—	4,582,201
Net revenue			—	2,468,963
Revenue estimated more than in 1800-1				392,830
Charges ditto, less ditto	—	—		198,410
Net revenue estimated for 1801-2, more than preceding year	—	—		592,240

The committee would observe from this statement, that the estimated charge for 1800-1, was 4,422,047*l.* and that the actual amount of the charge was 4,780,611*l.* making a difference between the actual and the estimated charge 358,564*l.* As the officers of the Company had always shewn great accuracy in making up the estimates, and had been particularly cautious not to mislead by overrating the revenue, he wished to explain to the committee, how it happened that there was this excess of the actual over the estimated charge, and to shew that there was no ground for impeaching the accuracy of the officers who had prepared the accounts. In the first place, these estimates referred to a period of war, and every body must be aware of the impossibility of strict accuracy and precision in estimates during the war. But in addition to this, he begged to state, that in the year to which he was alluding, the expedition to Egypt took place, which certainly was not in contemplation when the estimates were made; and from this circumstance there would be found a difference between the estimates and the actual charges in all the presidencies. He then proceeded to state the revenues, charges, and estimates with regard to Madras, but, in doing so, he begged to apprize the committee that the estimates and accounts related only to the old possessions annexed to that presidency; otherwise it would be impossible to make a comparison between its present and its former state; because, from the accession of territory and revenue, not only by the conquest of the Mysore, but by treaties with the Nizam, an average of the aggregate of the receipts would not constitute a fair mean of comparison with any former period. Having made this preliminary observation, he proceeded to state, that

The average of these revenues, from 1798-9 to 1800-1, was — —		£.1,035,068
Which exceeds the average on the years 1797-8 to 1799-1800	—	82,734
Estimated for 1800-1 — —		3,277,073
Actual amount	—	3,540,268
More than estimate	—	263,195
Charges—Estimated for 1800-1	—	3,765,913
Actual amount	—	4,293,310
More than estimate	—	527,397
Deducting excess of revenue from excess of charge, the net charge is, more than estimated — — —		264,202
And the net charge of the year 1800-1 is		753,042

ESTIMATES, 1801-2.

Revenues	—	—	—	3,899,040
Charges	—	—	—	4,559,311
Net charge			—	660,271
Revenues estimated more than actual, 1800-1				358,772
Charges ditto more than ditto				266,000
Net charge for 1801-2, estimated less than the preceding year	—	—		92,772

The committee would see from this statement, that there was a greater difference between the estimated and actual charge in Madras than there was in Bengal: this difference arose from two circumstances; first, because it was principally from this presidency that the forces were sent upon the expedition to Egypt, and secondly because there was a great interruption in the tranquillity of the southern provinces, occasioned by the Poligars, which caused much additional expense.—With regard to the revenues and charges of Bombay, he wished to observe, that the transfer of the Malabar province to Madras in July 1800, having greatly reduced the receipts at Bombay in the year 1800—1, an average on the gross collections of three years could not properly be drawn for a comparison. In this case it was also proposed to make an adjustment, and take the average, excluding the revenues of the ceded countries, which was,

From 1788-9 to 1800-1 — £. 211,892

Which exceeds the average on the years 1797-8 to 1799-1800 —		£. 24,767
Estimated for 1800-1 — —		300,475
Actual amount — —		286,457
Less than estimate — —		14,018
Charges—Estimated for 1800-1 —		1,030,993
Actual amount — —		1,329,176
More than estimate — —		298,183
Add deficiency of revenue to the excess of charge, the net charge is more than estimated		312,201
And the net charge of the year 1800-1 is		1,042,719

ESTIMATES, 1801-2.

Revenues — — —		271,825
Charges — — —		1,185,308
Net charges — — —		913,483
Revenues estimated less than 1800-1		14,632
Charges ditto less than ditto —		143,868
Net charge estimated for 1801-2, less than preceding year — —		129,236

There then only remained Bencoolen and the other settlements.

Revenues of Fort Marlborough, on an average of three years, 1797-8 to 1799-1800, were		6,985
Charges ditto, ditto, —		106,197
Net charge — — —		99,212
Supplies from Bengal to Fort Marlborough, Penang, &c. estimated for 1800-1 —		82,360
Actual amount — — —		156,325
More than estimated — —		73,965
Supplies estimated for 1801-2 —		85,840

He then proceeded to take a general view of the statement he had made. The result of the year 1801 collectively was as follows:

Revenues—Bengal —	£.6,658,334		
Madras —	3,540,268		
Bombay —	286,457		
Total revenues			10,485,059
Charges—Bengal —	4,780,611		
Madras —	4,293,310		
Bombay —	1,329,176		
Total charges			10,403,097
Net revenue of the three presidencies			81,962
Deducted from supplies to Bencoolen			156,335
The difference is			74,363
Which being added to the interest paid on the debts At Bengal	£.746,184		
Madras	212,488		
Bombay	135,289		1,093,961
The deficit of revenue from the territories, &c. then is — —			1,168,324
Deduct the amount sales of imports			493,667
The remainder is the amount of the deficit, after allowing for the produce of the sales of the imports.			£.674,657
Amount advanced for the purchase of investments, payment of commercial charges, and in aid of China investment, At Bengal	£.897,691		
Madras	453,990		
Bombay	400,485		
Total advances for investment			1,752,136
Cargoes invoiced from India to Europe in 1800-1, with charges —			1,399,033

The result of the estimates for 1801-2, collectively, was,

Revenues—Bengal	£.7,051,164		
Madras —	3,899,040		
Bombay —	271,825		
Total revenues —			11,222,029
Charges—Bengal —	4,582,201		
Madras —	4,559,311		
Bombay —	1,185,308		
Total charges			10,326,820
Net estimated revenue of the three presidencies — — —			895,209
Deduct supplies to Bencoolen, &c.			85,840
The remainder			809,369
Deducted from interest on debts —			1,342,854
Shews the net deficiency of the revenues from the territories, &c. to be			533,485
Which deducted from the estimated amount of sales of imports — —			564,527
The remainder was			31,042

And this was the amount estimated to be applicable in the year 1801-2 to the purchase of investment, payment of commercial charges, &c.—Having gone through this general account, and having stated the magnitude of the deficit, the committee would not be surprised that the amount of the investments was not so great as it might otherwise have been expected.—The next subject which he wished to submit to the committee was the debts of the Company in India. They were as follow:

Amount stated last year —		£.14,640,402
Amount this year — —		17,674,532
Increase —		3,034,130
Debts transferred in the year —		81,888
Debts bearing Interest.		
Amount last year — —		12,301,570
Amount this year — —		15,135,354
Increase of debts bearing interest		2,833,784
Amount of interest payable by the accounts of last year — — —		1,082,042
Amount of interest payable by the accounts of this year — —		1,342,853
Increase of interest payable annually		260,811

Assets in India,		
Consisting of cash, goods, stores, &c. last year — — —	£.11,569,553	
Ditto, ditto, by present statement	12,113,923	
Increase of assets		544,369
Deduct		
Increase of assets from increase of debts, the state of the Company's affairs in India will appear worse by —		2,489,761

The next subject to which he called the attention of the committee was the home accounts of the Company.

Aggregate amount of sales 1801-2		9,155,987
Less than last year	£.1,167,465	
On the Company's goods alone	971,554	
Private goods —	77,367	
Neutral property —	118,544	
	1,167,465	
Sales on Company's goods, estimated at		7,119,400
Actually amounted to —		6,630,487
Being less than estimated —		488,913
The receipts on the sales of the Company's goods, estimated at — —		7,161,918
Actually amounted to — —		6,336,192
Being less than estimated —		825,726
Charges and profit on private trade estimated at — — —		100,000
Actually amounted to —		193,563
Being more than estimated —		£.93,563

The balance estimated to be remaining in favour on the 1st March 1802, amounting to 486,731*l.* would by the actual accounts have been considerably against the Company from the disappointment in the receipt on the sale of goods, and from deferring the disposal of the loyalty loan; but from some additional receipts on profit on private trade, and from Government for stores, &c. with postponement of the payment of the debt to the Bank, amounting to 800,000*l.* the balance the 1st March 1802, although the supplies to India and China exceeded the estimate upwards of 200,000*l.* still remained in favour to the amount of 168,759*l.* being less than estimated 317,972*l.*—The estimates for 1802-3 were as follow:

Receipt for sale of Company's goods — — —	£.6,500,600
From the small balance at the commencement of the year, and the extensive supplies required for India and China, also the expectation of liquidating the debt to the Bank, the balance against the Company on the 1st March 1803, is estimated to amount to	1,434,556

DEBTS AT HOME.

On 1st March 1801 — —	5,393,989
On 1st March 1802 — —	4,822,683
Decrease —	571,306

ASSETS AT HOME.

On 1st March 1801 — —	£.15,404,736
On 1st March 1802 — —	16,802,760
Increase —	1,398,024
Adding decrease of debts to increase of assets, the improvement of the home concern in this year is — — —	1,969,330

CHINA AND ST. HELENA.

Balance at China last year in favour —	£.1,226,079	
Balance at China by the present accounts —	1,019,551	
Decrease	206,528	
Balance at St. Helena on 30th Sept. 1799, in favour —	£.58,366	
Balance at St. Helena on 30th Sept. 1800, in favour —	77,852	
Increase	19,486	
Net decrease at China and St. Helena		187,042

GENERAL COMPARISON OF DEBTS AND ASSETS.

Increase of debts in India —		3,034,130
Decrease of debts at home —		571,306
Net increase of debts —		2,462,824
Increase of assets in India	£. 544,369	
Increase of assets at home	1,398,024	
	1,942,393	
Deduct		
Net decrease of balance in favour at China and St. Helena	187,042	
Net increase of assets		1,755,351
Deducted from the increase of debts would shew the state of the whole concern to be worse than at the conclusion of the last year in the sum of — —		£. 707,473

Which sum was subject to alteration on the final adjustment of the claims of the Company on Government, included in the home assets to the amount of 3,573,339*l.* making an increase in this year, under this head, of 900,899*l.* —Having gone through a general state of the affairs of the East India Company, both at home and abroad, comprising their revenues, charges, debts, assets, &c. he should now proceed to put the committee in possession of the best outline in his power of the prospective view of their situation. The best way that occurred to him of doing this, would be to state to the committee, first, the extent of the incumbrances upon the Company, then the extent of their means to meet these incumbrances; then the mode in which it was proposed to apply those means for the amelioration of their affairs, and the result that might fairly be expected from the adoption of these measures; and lastly, to state what was the expectation of the public from the Company,

either in the alternative of peace or war. In order to elucidate this subject, he had moved for these accounts, which would put the House in possession of all the material facts. And first, with regard to the incumbrances: the estimate of the revenue and charges had been prepared by the proper officers abroad, and also the interest of the debt; but there was no certified amount of the capital of the debt, he was therefore obliged to form the best estimate in his power. In order to prevent mistake, and to be as sure as possible, he would take the capital of the debt at the highest amount, and state it at 18,500,000*l.* which would completely cover the whole of the debt. Of this sum, as he had before stated, 16,000,000*l.* bore interest, the annual amount of which was 1,438,791*l.* This certainly was a most serious sum, and must necessarily be a most serious deduction from the income of the Company. But, great as it was, still it was a most satisfactory consideration, that if the state of the Company in 1793, with all the necessary increase of expense in the course of the war, was compared with its present state, there would be a corresponding increase in the assets of the Company, at least equal to the incumbrances incurred, so that the Company were in as good a state as they were at the commencement of the war. In considering the debt of the Company, the first thing that naturally occurred to the mind was the very high rate of interest which they paid for their debt; the interest amounted to very little short of 9 per cent. He stated this, in the hope that the committee would bear it in mind, while he adverted to what occurred to him upon another part of the subject. If the Company had no surplus revenue at all to apply to the liquidation of their debt, still there was another operation which they might have recourse to, and which would contribute very materially to that object, and that was the conversion of their Indian debt bearing the high interest he had stated, into an European debt. This would put the Company into the possession of a considerable fund for the extinction of their debt, because the difference of interest between an Indian debt, to the amount he had stated, at 9 per cent. and an European debt at 5 per cent. would afford to the Company a saving of about 5,380,000*l.* a year. He wished therefore that the committee would always bear in mind that there were applicable to the extinction of the debt not only the existing funds, but the saving to be made by this change in the nature of the debt. The present means which the Company possessed to meet their incumbrances must arise from their revenues abroad, and from their capital at home. The estimated revenues, according to the latest accounts which had been received, would be all together 11,976,180*l.*; the estimated charges were 9,346,369*l.*; there would then remain a surplus of 2,729,811*l.*; from this, however, were to be deducted the commercial charges, the supplies to Bencoolen, and the interest of the debt, and there would then remain a net surplus of 1,053,582*l.* This surplus arose partly from an increase in the revenue, and partly from some reductions which have been made in the expenses. No reduction, however, had been taken credit for, which had not been actually accomplished, though there were others in contemplation which he hoped would be extremely productive. In adverting to this subject, it was impossible that the attention of the committee should not be turned to the Noble Person now at the head of the government in India, the Marquis Wellesley; and he would venture to say, that, high as his character stood upon other grounds, it would stand still higher when the measures he had adopted for improving the finances of the Company were considered; it would be found that the same energy of mind which carried him through the other difficulties which surrounded him, had particularly characterized his financial arrangements.—Having, however, mentioned the reductions which had been made, he wished that the committee should not entertain any apprehensions that they were such as would in any degree endanger the safety of our empire in India; and perhaps the best way to satisfy the committee upon this head would be, to state the amount of our army in India. It amounted to 24,000 Europeans, of whom 17,000 were King's troops. The native force amounted to 89,000 men; and the irregular force, including Lascars, to 10,000, making altogether an army of above 124,000 men. With such a force, there was no ground for apprehensions either from attacks from Europe or from contests in India.—His Lordship then proceeded to comment upon the commercial state of the Company, and contended, that nothing could shake them in the commerce of the East, because nobody would embark a large capital against a company that had so large a surplus revenue, which they must remit to Europe, and which must enable them to drive any competitor out of the market. With regard to the sum which at the last renewal of the Company's charter was to be paid to the public, the non-payment of it had only been occasioned by the war, but undoubtedly in the event of the continuance of peace, the payment would be regularly made. According to the act for the renewal of the charter, the appropriation of their surplus revenue was as follows: the first half million was to answer bills from India, the second half million was to be paid to the public, and the remainder was to go in extinction of the debt. The result of this statement would be, that after paying the public 500,000*l.* a year, there would remain a sum of above one million applicable to the reduction of the debt, independent of the measure to which he had before alluded, of the conversion of the debt. He wished here to observe, that it was not in contemplation to liquidate the whole of the

debt: it was proper, for many reasons, that a part of the debt should remain; one of those reasons was, that the natives should have an interest (independent of the advantages they have under our government) in the permanence of the Company. Supposing then the amount of debt to be reduced was 12,000,000*l.* and the sum applicable to the reduction to be 2,000,000*l.* a year, it would obviously be liquidated in six years, and the interest due upon the remainder, taking it even at 6 per cent. would be only 240,000*l.* a year. He presumed that the interest might, under these circumstances, be reduced to 6 per cent. and in the present state of the Company's affairs, they would not have occasion to raise any money for the first two years. He was aware that the committee might suppose that he was giving an exaggerated account of the affairs of the Company, but he would state the grounds of his calculation as applying to the alternative either of peace or war. His Lordship then entered into the following statement of the Company, and applicability of those means to the liquidation of their debts. He had before stated the surplus of their foreign revenue; he now came to consider their home surplus.

Four years average to March 1802 —		£. 366,874
Add net surplus abroad —	—	1,053,582
		1,420,456
Say net proceeds —	—	1,500,000

The proportional profits on an investment of four millions will be more.

DISTRIBUTION OF NET PROCEEDS:

Public participation — —	500,000
Reduction of debt — —	1,000,000
Proposed sinking fund to be applied each year	2,000,000
Till the capital in India bearing interest is reduced to — — —	4,000,000
Amount to be reduced — —	12,000,000

Time required, six years.

Annual sinking fund to be constituted as follows:

From net proceeds as above —	1,000,000
From savings of interest and loans in Europe	1,000,000
Total	£.2,000,000

The sinking fund will operate as underneath, supposing the rate of interest to be gradually reduced, till it shall stand at 6 per cent.

Indian debt will be reduced April 1809 to		£.4,000,000
Interest —	— —	240,000

The twelve millions paid off will have been supplied as follows:

Surplus from net proceeds for six years	6,000,000
Savings of interest in the same period	2,713,000
To be furnished from Europe —	3,287,000
	12,000,000

Of the sum to be furnished from Europe, not more than 2,000,000*l.* need be raised by loan; the repayments from Government for the Egyptian expedition, &c. will cover the remainder; and this sum subject to be reduced by any improvement of net proceeds which may happen, either in the revenues or commercial profits.—State of affairs at the end of six years:

Indian surplus, April 1809 —		£.2,250,000
Home surplus —	—	450,000
		2,700,000
Deduct—Public participation —		500,000
		2,200,000
Supposing two millions raised in aid of sinking fund, by adding to capital, deduct interest at 5 per cent. —		100,000
		2,100,000
Net proceeds, subject to ulterior appropriation, viz.—1-6th to proprietors to increase dividends —	—	350,000
5-6ths to be invested in the funds to counter-secure capital —	—	1,750,000
		2,100,000

The operation of the above appropriation until the year 1813-14, when the charter would expire, unless sooner renewed, would be to increase the Company's dividends annually, by one half, viz. 350,000*l.* and to accumulate, at 4 per cent. compound interest, during the five years, a guarantee fund of 9,485,000*l.*—In the event of war, the Indian surplus must be necessarily reduced. The reductions of charge since the peace amount per estimate to 783,000*l.* per annum. Allowing for a war establishment equal in extent to that at the close of the late war, there will still remain net proceeds 717,000*l.*—But to make the most ample allowance, take the war charges at 1,000,000*l.* there will still remain net proceeds 500,000*l.* applicable to the reduction of debt.—In this case the participation of the public would necessarily be suspended during war, and would revive upon the reductions resulting from peace.—With such a disposable surplus, provided the transfer of funds from Europe to India shall meet with no interruption in time of war, the contracting of fresh loans may not only be avoided, but a system of liquidation, upon principles similar to those above stated, be pursued even during war, though necessarily upon a reduced scale.—For executing the above measure, and for the extension of trade, the Company possess the following available resources:

May add to their capital two millions, at 220 per cent. —	— —	£.4,400,000
More bonds may be issued with consent of Treasury —	— —	1,000,000
		5,400,000
Suppose as above, raised for sinking fund		2,000,000
Remains for the extension of trade		3,400,000

Having gone through the whole of this statement with the greatest clearness and precision, his Lordship said, that although the continuance of peace must be to India, as it must be to this country, and to the whole world, the greatest blessing, yet if, contrary to our hopes and endeavours, we should be again plunged

into a war, he was sure there was no part of our empire better prepared to meet the alternative of war, than the India Company. They had now finished a war of ten years continuance; they had not only to contend against the European war, but they also had to contend with the powers of India. In fact, it might be said that they had been constantly at war since the first operations of Lord Cornwallis. All this they had done with unimpaired means, with undiminished resources. They had now an empire double in extent and in revenue; and although they had added ten millions to their debt, their means had increased in a corresponding ratio. If this was their situation in a period of war, what would have been their condition if in the enjoyment of peace? But their revenue had not only kept up in the manner he had stated, they had also provided against great and heavy establishments; they had made arrangements for more comfortable provision for the officers and troops on their establishment; they had also made an establishment for the better administration of justice; and all this had made an increase in their expenditure of near one million a year, a sum almost equal to the amount of the interest of their debt. This statement must, he was sure, be satisfactory to the public, and must shew that there was every probability of this country deriving a great and essential support from India, and that the Company would have the means, at no remote period, of paying to the public a sum of half a million a year, and of reinforcing the sinking fund with no less than one million and a half a year. This completely justified the statement of his Noble Friend, who had preceded him in the office he now held, and whose predictions would have been sooner verified if it had not been for the war in which this country was engaged. In the event of another war this country must, for a time, give up the annual half million which the Company was to pay; but still the Company would have one million a year applicable to the reduction of its debt, which, even upon the least favourable calculation, must discharge it in twelve years. Therefore, in whatever view the subject was considered, whether in the alternative of peace or war, there was no ground for alarm, but the most solid and well-grounded prospect of prosperity. He had thought it his duty to submit these considerations to the committee as subjects which they ought to understand; and if he himself understood the subject, the prospect was founded upon the most solid basis. If the peace continued, the public would next year obtain their participation of the Company's surplus revenue, and the Company would have 2,000,000*l.* applicable to the reduction of its debt. If war unfortunately took place, this country must forego for a time the half million a year, but the Company would still have one million a year for the liquidation of its debt. He should now move the resolutions; but if any Gentlemen wished for further time to consider the subject, the resolutions might be moved *pro forma* at present, and the discussion postponed to another day.—He then moved the first resolution.

Mr. Johnstone said, he should not trouble the House many minutes; he had to observe, that the Indian debt had greatly increased within a short time: on looking over the papers, he found that the Company were 700,000*l.* worse at this period than they were a few years back. He said, the money owing to them was to be considered as bad debts, which in all probability they never would receive. Some of the accounts contain very accurate statements, but many others of the accounts are very incorrect; and he would venture to say, that when the Company paid all their legal debts, they would find a deficiency of many thousands. The extraordinary revenue arose from the Company having such a desire for territorial possessions, which involved the Company in additional and unnecessary expense. The customs also came under his observation, which he very much disapproved of, as inimical to the prosperity of that country: he said, every article that was sold in India bore a heavy tax; the same species of tax was known in Spain, which had in some measure reduced the importance of the trade of that nation; but which tax Lord Cornwallis (whose policy was sound and brilliant) had repealed in India, from a thorough conviction of its ill effects to that country. The successive estimates of the state of that country prove that the expenditure has gone much farther than was expected. He stated that the trade of China had been more profitable to the country, than the trade of any other part of India. The Court of Directors had told the public, that the Indian debt had increased to 1,200,000*l.* which arose from their extraordinary disbursements, but which has been found to turn out a deficiency of 1,800,000*l.* He observed, that his Lordship had told us with great pleasure, that we have increased the Indian territories, by which we had received many advantages; but he was sure that we had reduced the consequence of the country. He said, that we had committed a breach of faith in India, and that we had been guilty of as much injustice in India, as the French had been in Europe. He concluded by saying, that the estimates presented to the House were far from accurate, and not to be depended upon.

Lord Castlereagh said, he did not wish to enter into a discussion on the subject tonight, nor did he wish the vote of the House till they had minutely examined the estimates laid before them; yet he could not help saying that the Learned Gent. had misconceived many parts of the estimates. His Lordship

then entered into a long explanation, which was only a recapitulation of his former statement, and concluded by saying, that when the resolutions were read he should be happy to hear any Gentleman address the committee on the question; and he should also be happy to give every explanation that could possibly be wished for.

The Chancellor of the Exchequer said, he should not have said a word on the present subject, had it not been for an expression made use of by the Hon. Gent. who had just spoken. He had charged our conduct in India as a breach of good faith. The Hon. Gent. must allow him to complain of this statement, and of the time in which it was made—for it was a time when the subject to which the assertion referred could not be examined, and when therefore no correct opinion could be formed by an individual upon the subject; it was therefore to him a matter of regret that this assertion had been made: therefore he would ask of the House, and he was confident that he should not ask in vain, that they would keep their minds clear upon the matter, and free of bias, until they should have an opportunity of looking into all the circumstances of it, and this he was aware the House would do without any suggestion from him; but he stated this merely by way of caution to some individuals, because he knew that unfavourable impressions might be made, when bold though groundless assertions were advanced, affecting the characters of meritorious individuals, who had been zealously engaged in the service of their country. It was too much that they should be made to suffer in their character from a broad unfounded assertion; it was painful to suppose that they might be affected in this manner, and that they should, for a time even, be deprived of that which was a considerable part of their reward, namely, the approbation of their country; the whole of their conduct therefore ought to be left untouched, until they had an opportunity to explain it themselves, or by those who might derive information from them when they returned, when he had no doubt their conduct would do them honour: for these reasons he begged leave to object to the expression of the Hon. Gent. which stated that Great Britain was stigmatized with a breach of faith in India. He begged pardon of the committee for having called its attention aside upon this occasion for a moment, but it appeared to him to be a debt of justice to take care that no injurious impression should be made on the characters of gallant men, who had so bravely acted in the service of their country.

Sir Hugh Inglis supported the conduct of the East India Company. He gave an account of the trade, public and private, for the last four years, and maintained that it was a great object to this country to preserve it in its present course, instead of suffering it to run into another channel. He thought it necessary also to do away false impressions, which might be made by unfounded assertions.

Mr. Francis objected to the statement of the Noble Lord who brought this subject forward that night, because the whole of it proceeded on estimates which contained many things that might or might not be made good; and also some false documents. He looked upon all estimates as no better than promises; and although he had no claim to infallibility, yet he possessed some experience upon this subject; but he should speak this night as a mere Member of Parliament, as if he had never been in India. Now these estimates were no better than promises, and he knew very well that promises had been held out from year to year; but the result was, that the affairs of the Company were always rather worse afterwards than when the promises were made. Nothing could be more distinct than that, on the renewal of the charter, 500,000*l.* a year was to have been paid by the Company to the public, upon which, however, no more had ever been actually received than the fruits of one year. The Noble Person who had the arrangement of these affairs formerly under his care (Lord Viscount Melville) had considered the affairs of India as if there had been no war to interfere in the arrangement; and now the Noble Lord could not make the difference he proposed in his statement as between war and peace, without deserting the system of his noble predecessor. The Noble Lord had said, that India would never be a drain on this country, but might afford it material support, in which he adopted the language of his noble predecessor; but it was not to be forgotten, that was a promise which had been held out for the last twenty years, but which had never yet been kept. So much of promises, and estimates, which were no better than promises. He then proceeded to take a view of the accounts which had been laid before the House on the part of the India Company, and contended they were extremely defective, and that the whole statement of to-night was fallacious, and therefore not to be relied on: he charged the accounts with having been fabricated for the purpose of imposing on the House and the public by making a false balance. He contended, that the capital stock of the East India Company ought to have been stated, which it was not. It was stated in the year 1793, and amounted to no less than 7,807,000*l.*; there was also a claim stated by the Company, amounting to 3,000,000*l.* which the Noble Lord himself said was of a nature that made it doubtful whether it would be allowed or not; so that this made the real state of the accounts of the Company 10,000,000*l.* more than it appeared on the face of the present statement. He con-

tended, that upon a fair statement of the accounts of the India Company, instead of a balance in their favour, it would be against them. He complained of these statements as contrivances to give to the House and the public a false view of the affairs of the East India Company, and that made him have recourse to his original proposition, that upon the subject of the East India Company's affairs, promises had been held out from year to year, which had never been realized.

Lord CASTLEREAGH admitted, that it was fair that the accounts of the affairs of the East India Company should be examined; but the committee would recollect, that what was now before it was a comparison of the affairs of the Company at different periods, chiefly with a view of considering whether the war had injured their affairs or not, and comparing all the debts of the Company and their assets together. The Hon. Gent. had said that these accounts were made up with a view of giving incorrect information; and this, he said, was done by leaving out of the account the whole of the capital of the Company, which he stated to be above seven millions. There was no force in this objection; there could be no imposition upon any body by this, because it was known by every body what the amount of that capital was; and leaving out of the account that which was perfectly notorious, could answer no purpose whatever of imposition: and therefore, when the Hon. Gent. called this a false account, for the purpose of imposing upon the public, he was carrying the argument further than, upon reflection, he would be inclined to do. He took off from the account the whole of the note of the charge made as being due to the India Company from Government. Whether it was to fall on Government or on the Company, was a point hereafter to be determined; but it could only be stated in the way it had been. As to the result of the statement, the Hon. Gent. might make it for himself. It would stand thus debts in Europe, including the capital which the Hon. Gent. alluded to, amounted to 2,600,000*l*; debts in India, bearing interest, 16,000,000*l*.; assets in Europe were 17,000,000*l*.; in India, 11,000,000*l*.; making in all 28,000,000*l*. In this account there was no dead stock stated, though that was of great value; nor was this all the property of the Company, for it must be remembered, that they had great territorial possessions in India, besides what they derived under the sweeping clause of their charter; and therefore there was a vast mass of property in the Company, which was not brought to the credit side of this account; consequently the committee would clearly see, that this was not an account laid before them for the purpose of imposing a false balance in favour of the Company. The truth of the matter was this: that after discharging all their engagements, the Company will have one million a year, even in case of war, applicable to the reduction of their debts; and if there was another such company in this world, he should be glad to be informed where to find it.

Mr. FRANCIS persisted in his former statement, and maintained that he was borne out by the accounts now upon the table.

Mr. WILLIAM DUNDAS observed, that the manner in which his Noble Friend had opened this subject was so clear, that there was but little to go over in the accounts again; but something stated by the Hon. Member who spoke last called for an answer, and that which he should give should be very short. The Hon. Gent. said, that the account before the committee was false, inasmuch as it did not contain the capital stock of the Company. By this one would think there was some mystery about the matter, that there was something unknown about it; but instead of that, it was a matter of so perfect notoriety, that one of the clerks of the India House would laugh at any body that made a question upon it. Imposition was therefore impossible in this case. The Hon. Gent. had said that he was not infallible; he was glad of that assurance from himself, otherwise he could not have been bold enough to offer any answer to him. For want of that absolute infallibility to which the Hon. Member approached, he had, by the merest accident, omitted to take notice of one line which was at the head of this account, and in the very title of it: for it was stated to be an account of the affairs of the East India Company, "exclusive of their capital stock." And this was the account that was framed for the purpose of deceiving the public, by omitting that which they professed to omit; but this was the observation of an Hon. Gent. who was not infallible. As to what had been said upon the conduct of the Noble Lord (Lord Melville) who preceded his Noble Friend in this department, Mr. Dundas said that he had stood some time in the light of a parent to him, that any thing he could say of him must of course be accompanied by partiality, as well as veneration. That Noble Person stood upon his character in that House, and before the public, by whom he was well known, and he hoped esteemed. But the Hon. Gent. had said that that Noble Person had, for the last twenty years, held out promises which had not been kept on the affairs of the East India Company; that he had made no difference in his comparative statements between a time of peace and a time of war. In the first place, for twenty years he would not have made this comparative estimate as between peace and war at all, because for much of that time there was no war, nor did this comparative estimate commence until the year 1793, which was the period of the renewal of the charter of the Company; but

since that period, the Noble Lord alluded to had uniformly made a difference between the estimate in time of peace and that of war, and that the 500,000*l.* a year from the Company to the public could never be thought of until a time of peace; and yet the Hon. Gent. had roundly said that that Noble Lord had made no difference between peace and war in the statement of the affairs of the East India Company; but then this came from a Gentleman who was not quite infallible.

Sir F. BARING observed, that the Noble Lord who had brought forward this important business had speculated upon some topics in which he could not follow him; but the Noble Lord had an ardent mind, and took upon himself a burden which another had staggered under for many years. The Noble Lord who had so long had the superintendence of the affairs of the Company, had some time since published something of a political testament: he had stated that the Company, by great exertions in time of peace, might pay off one million annually. The Company had entertained an idea of doing this in a more vigorous manner, and instead of paying off one million, to pay two millions annually, and not to create one penny additional stock. The Noble Lord's predecessor, in his calculation for the thirteen years, never alluded to the 500,000*l.* participation of the public, which the Noble Lord this night promised to the public. He believed, that in a few years the public would have the gratification of seeing that paid, provided peace continued. His principal reason for rising was, to take notice of what the Noble Lord said respecting the increase of capital stock, or debt. That was a matter which the Court of Directors would receive with great reluctance; and by the attention which the Noble Lord paid to the affairs of the East India Company, he would observe, that great progress was made by them in the payment of their debts in India, without raising stock; but the mode proposed would be taking money away from commercial purposes, and applying it to the payment of political debts. The capital already in the service of the East India Company was fully adequate to the payment of their debts.

Lord CASTLEREAGH said, he did not mean to express any opinion how far it would be proper for the East India Company to raise funds, by adding to the capital of the Company's debt. He had stated, that no more than two millions would be wanted, and that in the worst point of view there would be three millions applicable to the purposes of their commerce. He would not now enter into the question of whether it was expedient to refer to these resources for the payment of their debts; perhaps they might raise their credit by redeemable securities in Europe. The Company had no difficulty; for whether they added to their capital or not, they would in time of war, have one million, in time of peace two millions, applicable to the reduction of their debt annually, after providing for all their engagements.

Mr. MERCALFE proceeded to answer the observations of Mr. Francis: he said they were unfounded, and he defied that Hon. Member to shew wherein the statement now upon the table was false. He had abused all the India Company; he had said they had fabricated accounts, for the purpose of deceiving the public with a false balance: he would tell that Hon. Member that he had asserted this incorrectly; and he would tell him further, that every Member of the Court of Directors of the India Company was as incapable as he was of making out a false account for the public, or of imposing on any body. He denied this charge, and he told that Hon. Gent. that he could not prove it. He would also ask whether it was likely that this was a fabricated account on the part of the Company? Had it been fabricated, they would have made it in their own favour; whereas this was against themselves, and in favour of the public. He wished Gentlemen to take some care of what they said: that Hon. Gent. best knew why he made this attack on the Directors of the East India Company; but this he knew, it was no light matter to charge them with fabricating false accounts for purposes of deception. The Hon. Bart. who had lately spoken had differed in some points from the Noble Lord who had brought this subject forward; but then he had too much candour and liberality to charge the accounts as being false to deceive any body. The truth of the matter was, that the real situation of the affairs of the Company had undergone great alteration both at home and abroad. Now the reverse was the case; for abroad they had debts, and here they were rich. For the purpose of military operations, they were obliged to borrow money on very disadvantageous terms, and they had increased their bonded debt, which, in point of sound policy, ought never to have reached its present state; but the whole account was before the committee, and it was very hard to have it said that they fabricated any accounts: this was an assertion which he did not expect to hear from any Hon. Gent. of that House. Having passed over the accounts of the Company, he proceeded to take notice of the capital of 7,780,000*l.* which the Hon. Gent. had said was wilfully left out of the account: the fact was, that by an act of the Legislature itself this was guarantied to the Company at twelve millions, and therefore it would be wrong to state it in the account. There was here something which was the reverse of deception, for being guarantied to the Company at twelve millions, it was more in favour of the Company than the Hon. Gent. had stated, by the difference between that

sum and 7,800,000*l.* There was now a clear balance in favour of the Company, in comparison of the year 1793, of 2,200,000*l.* and upwards. He then proceeded to observe on the conduct of the Noble predecessor of the Noble Lord who brought this business forward (Lord Melville), whose whole conduct he approved highly, it being distinguished by the wisdom of an able and upright statesman. The Noble Lord now in the same department was treading in the steps of his most able predecessor, and, from the diligent application of his excellent talents, he might become his equal; more perhaps was unattainable. But there was much yet to be done in the subject of Indian politics; and if this pleasing prospect held out, the Company would be relieved, and the public have a participation of 500,000*l.* a year besides. Having said thus much on the general question before the committee, he must beg permission to say a few words on behalf of the proprietor of India stock, at whose risk India had been under great agitation, and quartered and divided, but yet preserved to the British empire. The proprietor had never received more than five per cent. for his capital, a sum with which no shopkeeper in London would be satisfied. He submitted whether or not it would not be wise to take the subject of India stock into consideration, and allow the holder eleven per cent. which he was convinced would be of ultimate advantage to the public. India never could be a drain upon this country, but might assist it abundantly. The granting of this eleven per cent. would raise the price of stock immediately. Having stated some advantages from this plan, he concluded with observing that India, under wise directions, might produce more advantage to this country, than it derived from all its other colonies together.

The question was then put and carried, and all the resolutions were voted *pro forma*. The House being resumed, the Report was received immediately.—Ordered to be taken into further consideration on that day sennight, and that the resolutions be printed.

HOUSE OF LORDS.

Tuesday, March 15. *(See Minutes, p.* 427.)

[Prince of Wales's annuity.]—The order being read for the committee on the Prince of Wales's annuity bill, the House accordingly resolved into the same, Lord Walsingham in the Chair.

On the first clause being read, and the question put,

The Earl of Carlisle rose and observed, that after his declaration of yesterday, respecting his intention not, under the present circumstances, to bring forward any distinct proposition on the subject, it could not be expected that he should have to trouble their Lordships with any detail thereon, the more especially as the bill was now before a committee of the whole House, in which stage of it no efficient alteration could be proposed. With respect to the subject, however, he would then state generally, that he retained those opinions upon which he had formerly avowed, that, with a reference to the present transaction in particular, he was of opinion the illustrious personage who was the object of it was as ill used as any man could be. The bill before the committee would be productive of those effects which would disappoint hopes held out, and frustrate expectations formed. Without adverting to the personal feelings of his R. H. upon such an occasion, it was now, he said, known that the public expectation of seeing him resume that state and splendour with which it was agreed on all hands the Heir Apparent to the Crown should be invested, would be entirely disappointed. He thought the question of the arrears of the dutchy of Cornwall should be legally decided; the general subject would then come before Parliament in a clearer point of view, and they would be the better able to judge what course to take. The bill before the committee would, he contended, not afford that relief to his R. H. which it professed: that illustrious personage would be left by it, at least for some time to come, in that degraded, nay, almost ignominious situation, in which for a considerable time he would be placed. His R. H. it appeared, was so circumstanced with respect to claims upon him, that the bill could not have even its proposed effect for at least one year and a half. Ministers had much better have waited until the period of the liquidation of those claims, when they could have effectually come forward; but though, notwithstanding he felt himself called upon to offer these general observations, yet his principal motive for troubling their Lordships was, to explain an expression which he made use of yesterday, which then seemed to make some impression upon a Noble Earl, and which appeared to be since, in some degree, misapprehended. Recurring again to the subject of his former animadversions, the Noble Earl observed, that the measure under the consideration of the committee was, like all the other measures of the present Administration, weak, inefficient, futile; in fact, a half-measure, inefficacious as to its object, and falling short of its avowed end. He then adverted to his language of yesterday: he had, he observed, expressed his opinion that the country was in a perilous state; and he would repeat, that the country, under all its present circumstances, was perilously situated: this idea, however, was provisional. We were to be regarded as on the eve of experiencing an invasion; at least, little less than such a state of things was to be in-

ferred from the tenour of the two Royal communications to Parliament. Thus circumstanced, and when it was considered that the guidance of the affairs of the country was left in the hands of the present Ministers, its situation could be truly said to be no other than perilous. The public, he asserted, did not look up with confidence to the talents and abilities of the present Ministers; the national spirit or the public energy could not be called forth or efficaciously exerted under their auspices. Were men of eminent talents and real abilities as statesmen, called to the guidance of affairs, the situation of the country would be diametrically opposite to that in which it was placed at present: from a state of dismay and despondence, it would pass to one of hope and exultation; public confidence and energy would revive, and we may bid defiance to all the efforts of France, and laugh her menaces to scorn. We may then say, in the concise but comprehensive language of the poet, "Come take!" which he feared we could not do at present. These were his feelings when he used, perhaps hastily, the expression that the country was in a perilous state: under its present rulers he feared it was; but under the guidance of those great characters he had in contemplation, its state would be full of well-founded hope and justly confident expectation.

Lord PELHAM rose to answer some observations which fell from the Noble Earl, the greater part of which, however, were obviously irrelevant to the subject before the committee. With respect to the affairs of the illustrious personage who was the object of the bill, the Noble Earl seemed to be under some misconception, and in obviating which, the Noble Secretary was necessarily led into some detailed exposition of the affair, from the time when the first arrangements were made in 1795 to the present moment; which train of circumstances being already known to our readers, we deem it unnecessary to repeat them. By the operation of the bill of 1795, the debts of his R. H. would not, his Lordship observed, be liquidated before the end of four years, instead of the expiration of a year and a half, as misconceived by the Noble Earl. Much stress seemed to be laid on what fell from Noble Lords supposed to be in habits of communication with his R. H.; but he could state, that, as far as his own observation went, the Prince himself seemed to be very well satisfied with what was proposed by his Majesty's Ministers. The operation of the present bill was to restore to his R. H. the full possession of that income, which, after much deliberation and discussion, was deemed in the year 1795 to be sufficient for maintaining the dignity and splendour of the Heir Apparent. With respect to the other considerations to which the Noble Earl's observations were directed, he would only say, that assertions, however strongly made, did not amount to proof, and that the feelings and opinions of a whole country, or the public, were not to be collected from the sentiments of a few individuals. His Majesty's Ministers held opinions on that point very different from those held by the Noble Earl. He denied that they had forfeited or lost the confidence of the country. As one of those Ministers, he could say, that he had never courted the possession of the office he had then the honour to hold. It had been his lot to be placed in situations of great public trust and importance, in which situations, as well as in his present, he always exerted his honest endeavours to perform his duty to his Sovereign and to his country in a proper, fair, and unexceptionable manner. That he had filled offices of importance, in situations of extreme peril and danger, fully to the approbation of those by whom he was intrusted, he assumed no personal merit, for it was his duty so to act. The Noble Earl and the House should recollect, that at the time his Majesty's present Ministers were called to their offices, the country was in a state of unprecedented difficulty and peril; and the Noble Earl would do well to recollect the situation in which the country was left by those men of great abilities and eminent talents, when they had retired from their offices.

The Earl of CARLISLE, in explanation, observed, that what he had said relative to the subject regularly before the committee, he merely offered as an independent Member of Parliament, actuated by no other motives than those arising from a sense of his duty to the public and the country. He had had no communication with the illustrious personage on the occasion, who, the Noble Earl repeated, had been ill treated in the present instance, and was, in effect, left by Ministers in that degraded and comfortless situation from which they professed to extricate him. With respect to what had fallen from the Noble Secretary of State relative to the situation of affairs at a former period, he deemed it then unnecessary to expatiate. Though a great deal, he observed, might in ordinary cases proceed upon presumption, yet when the safety and existence of an empire was at stake, such grounds of action should be exploded. With respect to the character and conduct of a certain great and illustrious man, which not only by him, but by the nation in general, was regarded with feelings of gratitude and admiration, he would aver of that great man, he meant Mr. Pitt, that he was the political saviour of his country. This great man was, with others, accused and suspected by Mr. Buonaparté of being concerned in the affair of what he called the infernal machine, for taking away his life. Of this accusation, he believed every honest man would acquit him; but there was another machine, he could not say an infernal, but a very mischievous one, which (so we under-

stood his Lordship) possibly he had some concern in, namely, the formation of the present ministry, whose conduct had abundantly compensated Buonaparté for whatever injury he might have sustained from the machinations he at first alluded to.

The LORD CHANCELLOR answered the remarks of the Noble Earl shortly. He first observed upon the evident irregularity of the greater part of what had fallen from the Noble Earl. Upon the measure itself before the committee, he had applied the general expressions of weak, inefficient, and an half-measure; such as, according to the Noble Earl, were all the measures of the present miserable Administration of the country. However, with respect to the bill regularly under discussion, he would tell his Lordship and the committee, that it was such as Ministers, upon a full consideration of the subject, with a reference to the situation of the Prince himself, and their duty to the public, in which view of the subject that situation made a part, thought it advisable and proper to propose. That it was an half-measure, would be contradicted by the very tenour and spirit of his Majesty's message; and the Noble Earl should be aware that there was more real magnanimity and genuine spirit in firmly adhering, against the opinion of others, to a measure which, upon due deliberation, they decided upon as good and serviceable, than there was in leaning to what the precipitation of others may wish to be done. With respect to the general question of confidence to Ministers, he thought precisely with his Noble Friend who spoke second in the debate; and personally to himself he had to observe, that the favour of his Sovereign had elevated him to that situation which certainly he most coveted, but which at the same time he thought it his duty to his Sovereign, to others, and to his country, to accept of; and he hoped he had honestly and conscientiously performed his duty therein while he held it. With regard to the Noble Earl's explanation of his language of yesterday, he would only say, that he hoped the Administration had shoulders broad enough to bear that and even more. Much was said of the confidence of the country; but that Ministers were not destitute of it was plain, by the almost unanimous approbation of their measures, by that constitutional organ of the nation, the Parliament; those measures were founded in their sense of what they deemed the best interests of their country; and by the decisions of that Assembly, with respect to the wisdom or spirit of their conduct, they would wish to be judged, and not by the observations of individuals.

The clauses and provisions of the bill were then agreed to without further observation from the committee, and the House resuming, ordered the Report to be received the next day.

HOUSE OF COMMONS.

Tuesday, Mar. 15.—(See Minutes, p. 506.)

[IRISH MILITIA.]—The House resolved itself into a committee upon the Irish militia bill.

Mr. WICKHAM moved the insertion of a clause, authorizing the Lord Lieutenant of Ireland to cause a sum, not exceeding four guineas, to be paid to each person enrolling himself in the militia of Ireland.

Mr. ELLIOT requested to know, whether this bill was intended to extend to every part of the militia of Ireland, or only to apply to a particular part of that country.

Mr. WICKHAM said this bill was brought in to authorize the Lord Lieutenant of Ireland to raise militiamen at four guineas, in consequence of the difficulty which had been experienced in getting persons to serve, when chosen by ballot; at the same time, it left the Lord Lieutenant the power to get them at a smaller bounty if possible: he however had the privilege to offer every inducement to persons to enter.

Mr. ELLIOT observed, that he thought it his duty to make a few observations on this bill before it passed into a law: he thought it would tend to subvert the recruiting service of Ireland. He was not an enemy to the establishment of a militia in that country. There was a practical difference between England and Ireland as to the formation of the militia. In this country, men are chosen by ballot; but in Ireland, it has been formed and conducted both by ballot and bounty. He thought, and indeed experience had taught him, that if a bounty of four guineas were given to induce men to enter into the militia, it would operate as a great injury to the recruiting service, particularly as so large a number of men as 40,000 were to be raised.

Mr. WICKHAM said he was sure that the Hon. Gent. (Mr. Elliot) had not taken the trouble to look over the bill, otherwise he would not now have made those observations on it. It was almost unnecessary to state the manner and method adopted in this country to raise militiamen, as every Gent. in the House knew there was but one; but in Ireland the same method would not effect the establishment of a militia: and he did not hesitate to say, that the militia had not been raised in that country by ballot. In Ireland it was the province of the Lord Lieutenant to procure militiamen in every way that was honourable

and just, and it was found from experience that the methods tried had been in some measure defective, which has given cause to the present bill, which bill will extend the power of the Lord Lieutenant to give a better bounty to persons who may be inclined to fight for the protection of their liberty and laws. The Learned Gent. had observed, that he was an advocate for raising the militia by ballot, and that he thought a bounty of four guineas would be hurtful to the recruiting service; but he would beg the Hon. Gent. to consider, that if the militia was raised by ballot, substitutes would be consequently got at a heavy price; by that means, men would sooner wait for offers of this kind than enter into the regular service. He was convinced that the present measure was calculated to benefit the militia force of Ireland.

Mr. ELLIOT said he did not think it a measure calculated to augment the militia of Ireland: he thought if men were not raised by ballot, they could not be raised at all.

The SECRETARY at WAR said he could not help complaining that the Hon. Gent. had thought proper to enter into an examination of the militia laws of Ireland, upon an incidental expense of this kind, particularly at the present moment, when every exertion was necessary to complete the force of the empire. Whether particular parts of the militia law were good or bad, it was now the duty of every man to make the best of it; and it was rather singular that the Hon. Gent. who was one of the first to sound the trumpet of alarm, should now take an opportunity of disheartening the public mind with respect to the public force. It would certainly have been more proper for the Hon. Gent. when the other bill was brought forward in December last, to come forward and to have stated his general objections to the measure; but he then sat perfectly silent, and did not offer one single objection: but now, when it was necessary to amend that bill in some particulars, the Hon. Gent. came forward with general objections to the whole of the system. The Hon. Gent. must know that the militia of Ireland had never been, nor could now be raised entirely by ballot. Why, then, did he not bring forward a bill to correct that evil? it had, however, been suffered to go on to the present time, and it was therefore necessary to make the best of it. The object of the present bill was only to enable the Lord Lieutenant to grant a greater bounty, if it should be found necessary, and to continue a bill which would expire in a short time, to the end of the year: and if the bounty did not exceed four guineas, it certainly would not materially affect the recruiting service, if, indeed, it would at all interfere with it.

Sir L. PARSONS said there appeared two points for consideration; the one was, whether the method adopted by this bill was constitutional? and the other was, whether the way of getting men by a bounty would answer the purpose of the country better than by ballot? He thought with the Gent. who preceded him, that the present bill would answer every purpose the country could wish for, and give a much greater satisfaction to the persons who served in the militia. He could assure the committee, that choosing persons by ballot very often rendered the officers very unpleasant, as they had frequently to associate with men whom they would not have taken among them, if such a bill as the present had been in force.

Mr. FITZGERALD said that he approved of the present bill, and thought it was a much better method of raising men than by ballot, as it would do away that trouble and expense which attended an individual in getting a substitute.

General TARLETON expressed his high approbation of the bill now under discussion, which would tend to facilitate the getting of men in Ireland. He well knew the state of the Irish militia, and was proud to say, he had the honour to command a regiment of militia in that country, who had given ample proof of their loyalty and affection to their King, and who were an honourable example of courage, and every requisite that can adorn the character of a soldier; and he hoped that the militia of every county in the empire would shew the same desire to protect it from the attacks of an enemy.

Mr. ELLIOT said he thought that four guineas was too great a sum to give for men, as it would add a very heavy expense to the country; with a less bounty the Lord Lieutenant might increase the militia to double the number mentioned in the bill. He could not but express his disapprobation of the measure, as he thought it would not tend to serve the country.

The ATTORNEY GENERAL of IRELAND said he could not but express his astonishment at the objections made by the Hon. Gent. (Mr. Elliot) who sat with him in another Parliament; and he must be permitted to call to the recollection of the Hon. Gent the time he perfectly agreed to the very principle he now reprobates. A bill went through the Irish House of Commons, granting the sum of six pounds to every man who would serve in the militia, and the Hon. Gent. never objected to the principle of that bill. The Gentleman well knew his statement to be correct. He observed, that there were several instances to prove the bad effect of a ballot; men got accoutred and

clothed, and then left their duty for the service of the rebel party.

Mr. LEIGH said that the sum of four guineas would induce men to enter into the militia service, which was a much better way of getting them than by ballot. Many ill consequences had attended a ballot, and much confusion might attend it again.

Colonel BAGWELL said that it appeared to him to be impossible to raise a militia by ballot; it had been proved an act of danger; the experiment had been tried, but without success: he said there were men who would rather enter into the recruiting service than the militia; and as the bounty was larger, the sum proposed in the present bill would not hurt the recruiting service.

The report was ordered to be received the next day.

HOUSE OF LORDS.

Wednesday, Mar. 16.—(See Minutes, p. 506.)

[FRIVOLOUS ARRESTS.]—On the order for receiving the report of the bill for the better prevention of frivolous and vexatious arrests, &c.

The Earl of MOIRA observed, that he had an additional clause to propose, which was of that nature that could be introduced into the bill either in the present stage, or on the occasion of the recommitment of the bill, which he intended afterwards to propose for to-morrow. However, as he should probably be unable to attend in his place to-morrow, he should take the present opportunity of offering the clause. The Noble Earl described it to be of that nature which would go to render the measure more perfect and effectual in its altered state than it otherwise would be. The Noble Earl took the opportunity to state his intention of relinquishing, with respect to the present bill, the raising the amount of the sum for which arrests should take place, from 10*l.* to 20*l.* Upon consideration and further inquiry, he thought it would be better to leave that part of the law in its original state, on grounds as much of practical and substantial humanity to the debtor, as of justice and security to the creditor. An inconceivable number of debts of an amount between these sums, were afloat, and there was a certain description of persons whom, instead of wishing to take out of the power of their creditors, he intended if possible to make still more liable than they were at present: he meant those persons who passed as *gentlemen*, and who contrived to get into the books of tradesmen to different amounts. The Noble Earl then moved the clause above mentioned.

The Lord CHANCELLOR was of opinion that the mode proposed by the Noble Earl, in point of form, for the introduction of his clause, was not the most regular. He thought it would be more proper to recommit the bill immediately, for the purpose of receiving the clause. The Noble and Learned Lord took the opportunity to express his sentiments with respect to the Noble Earl's intention of raising the amount of the sum for which debtors could be arrested, to 20*l.* It had in the first instance struck him that such an alteration could be well and safely made, but he had since considered the point with the most anxious regard, and the result of that consideration was, as the Noble Earl had stated, that such a regulation would not eventually tend to the ease or relief of the debtor, but would certainly operate oppressively with regard to the creditor, on whom indeed it would prove a kind of hardship, and tend considerably to lessen his security.

The Earl of MOIRA explained; after which the bill was recommitted, and the clause in question received and agreed to. The final alteration made in the bill was on the suggestion of the Noble Earl, and respected its title, which was to expunge therefrom the words, "and for the relief of persons *imprisoned* on *mesne* process."

The House then resumed, and ordered the report to be received next day.

[IRISH POST-OFFICE.]—The order being read for their Lordships going into a committee on the Irish postage rates bill,

Lord AUCKLAND rose, and urged the objections which he offered last night against a particular clause of the bill, in some detail. His Lordship seemed to object to it on the ground of irregularity, on a constitutional principle, and, but comparatively in a very slight degree, with a reference to the question of revenue. Among other officers in Ireland to whom the exemption was extended, was one whose office was no longer in existence: it also had the effect of recognising, as it operated with respect to this country, a fourth secretary of state, which possibly may render the vacation of a seat in the other House of Parliament requisite. With respect to the consideration of revenue, he expressed his disapprobation of extending the exemptions upon slight grounds: he stated the net proceeds of the Post-office revenues from the regulations in 1783, at certain periods to the present year, in which he stated they amount to the enormous sum of upwards of 930,000*l.* payable into the Exchequer. After urging these several considerations with great precision and ability, his Lordship expressed himself aware of the possible effect of any alteration in a money-bill in that House, namely, its rejec-

tion by the other; but he wished to learn from his Noble Friend on the woolsack, the best and most regular course of proceeding in the present instance.

The LORD CHANCELLOR observed, there was an evident inaccuracy in that part of the bill alluded to by the Noble Lord. He coincided with what fell from his Noble Friend, and said it would be for the consideration of the House how far the probable event of the intended alteration should tend to deter them from doing what they themselves might conceive to be right. However, the best course to take would, he thought, be to negative the commitment of the bill, to proceed immediately to the third reading, and then to expunge the clause, should their Lordships so determine.

The Earl of LIMERICK took the opportunity to offer his sentiments upon the occasion, which he did at some length. He detailed the nature of the offices adverted to by the Noble Lord, some of which he said were recognised in the Imperial Parliament by the bills of 1800 and 1801. He was the decided friend and advocate of the Union; he was confident of the advantages which would eventually arise to Ireland therefrom; but he could not help observing, that in consequence of it she was shorn of some of her brightest feathers, many of which were transplanted hither; and the Noble Earl seemed to justify the drawers up of the present bill, as following the example of former bills of the kind.

Lord AUCKLAND, in reply, vindicated himself from any imputation of disrespect to Ireland, or want of due attention to the welfare and interests of that part of the United Kingdom. In the course of the Noble Lord's explanation, he repeated his disapprobation of too widely extending the exemption, and took occasion to state, that no less a sum than 93,000*l.* was at present lost to the Post-office revenues by the privileges of Members of the Legislature, exclusive of between 94 and 95,000*l.* lost by the exemption of other privileged persons.

The LORD CHANCELLOR expressed similar feelings respecting the interests of Ireland with those avowed by his Noble Friend.

Lord CARLETON made a few observations on the occasion, after which the question for negativing the committee on the bill was carried, the bill read a third time, when the clause in question was expunged, and the bill afterwards passed in the usual way.

HOUSE OF COMMONS.

Wednesday, Mar. 16.—*(See Minutes, p.* 506.)

[NOTTINGHAM ELECTION.]——Mr. H. BROWNE moved, That no warrant of the Speaker be directed to the Clerk of the Crown to issue a new writ for Nottingham, until after the Report shall have been taken into consideration.

The question being put,

Mr. FOX said, if the House came to this determination now, they would act most precipitately. The Hon. Gent. who moved this, and the committee of which he was a member, knew the circumstances of the case, and might, for aught he knew, be justified in wishing that no new election should take place until after this Report should be considered; but the House collectively had no such knowledge. He thought the Report ought to be perused for a few days by the Members of the House, and afterwards it would be time enough to bring forward a motion of this nature: he did not see there was at present sufficient ground for the House to determine at once that the town of Nottingham should remain unrepresented for all this time. He said there was a good deal of inconvenience likely to result to the town if this motion should be adopted, because it would be keeping it all that time as it were in a state of election; for every one knew that such would be the practical effect of keeping it for that time unrepresented, and in a state of uncertainty as to the time a poll may recommence. For these reasons this motion had his decided negative, though he did not know that he should take the sense of the House upon it.

Mr. BOND said that this motion was made in form and manner conformably to parliamentary usage and established precedent. It appeared from the Report which had just been read to the House, that it was the opinion of the committee who had investigated the matter, there was no reasonable ground of hope of a peaceable election for the town of Nottingham, unless some means be taken for its preservation different from those which at present exist. He submitted to the House the propriety of giving to the Report of this committee the same confidence that had been reposed in others; and if any such confidence was reposed, it was manifest from the Report itself that no new election ought to take place until after that Report should have been considered.

Mr. H. BROWNE said he should not have made this motion without assigning reasons for it; but that he thought the House would have seen the propriety of it immediately. The evidence given before the committee was now before the House, and ordered to be printed for the use of the Members; he thought it therefore disrespectful to the House to proceed to assign to them reasons upon a subject the House had agreed to take into consideration on a future day, a subject at present known only to the few Members who com-

posed the committee. The House, however, would so far give credit to the Report in the first instance, as to say that no new election should take place until this matter be considered; for it appeared on the face of the Report which had been read to the House, that the freedom of election had been grossly violated by a systematic tumult, which was as disgraceful as bribery and corruption. The House would so far confide in the committee as to believe they would not have reported these serious matters without foundation; and if the House gave that confidence to the committee, the case would need no further argument.

Mr. Fox said he did not mean to refuse every confidence to the committee of which the Hon. Gent. had been speaking, any more than he should to any other; but he wished to know the subject on which he was to confide before he gave that confidence: at present he had no such knowledge. This was a measure similar to a proceeding against an individual for crimes; for depriving the electors of the town of Nottingham of the exercise of the right of election, was in the nature of a punishment, a course which he was not now going to debate; he only thought that the House ought to take a little time to consider before it adopted it. He did not want time to consider whether any confidence was due to the committee, that he was ready to repose; but he wanted time to consider what the committee had reported.

Mr. W. DUNDAS said he did not see how the House could refuse that sort of credit to the Report of this committee which this motion only required, for the motion was almost of course, if the Report of the committee was a proper one. The Report stated, among other things, that there was no reasonable ground to hope for a peaceable election in the town of Nottingham, unless some measures be taken, which in the present state of things in that town cannot be taken: now if that was the opinion of a committee which had been for so many days carefully examining the matter, what reason was there for doubting that such will be the opinion of the House when they come to peruse the labours of that committee upon that subject; and if such was likely to be the ultimate opinion of the House, would it not be extremely improper to proceed to a new election at this place before this matter was seriously considered?

The CHANCELLOR of the EXCHEQUER said he was led to concur in the proposition now before the House, on the ground stated by the Hon. Gent. who spoke last. The committee, whose Report the House had heard read, had declared that a legislative provision will be necessary to secure the freedom of election for the town of Nottingham. The House would not adopt any legislative provision, except on the ground on which the committee had formed their opinion. Was it not therefore fit, after an inquiry had been carried on by the committee, that the same inquiry should be carried on by the House in examining the materials on which the committee had formed its opinion, a committee composed of Hon. Members of that House, sworn to do their duty faithfully and impartially, and who had told the House by their Report that which was of the highest importance to the community, and the security of the constitution, namely, that freedom of election could not be had at Nottingham without the interference of Parliament. He would ask, was it or was it not fit to give credit to the committee who had examined this matter, until the House should have an opportunity of considering the ground on which their recommendation was founded? He did not consider himself pledged to follow up their resolution; he should suspend his opinion upon the subject, until after he should have read the Report; but in the mean time he should asquiesce in the opinion expressed by the committee: he should have time to consider the grounds on which that opinion was founded.

The question was then put and carried.

[SIR THOMAS TROUBRIDGE.]—Captain MARKHAM said he was under the disagreeable necessity of obtruding upon the House on a subject of a very delicate nature. When the character of an individual belonging to the House was attacked, he thought it was absolutely necessary that some investigation or inquiry should take place into the circumstances, so that either the honour of the individual should be cleared, or, if he had been guilty of what had been imputed to him, that the stigma might fairly rest upon his character. He was very sorry he was under the necessity of taking this course, particularly as the Hon. Gent. to whom he alluded was a friend of his; but as he was also high in general estimation, and at the Board to which he belonged, he thought it the more necessary to bring this matter forward. It was now some days since an Hon. Gent. now in the House, stated that some improper transactions had taken place on the Stock Exchange. He did not mean to say that he alluded to any one person in particular, he only meant to say that it seemed to have a reference to some part of his Majesty's government. He did not mean to state particular words; but since the statement he alluded to was made in the House, a number of reports had been circulated to the prejudice of his Hon. Friend: he meant Sir Thomas Troubridge, of whom he might speak since he was not present. Upon the statement to which he had already referred, a letter appeared in the newspapers from an agent. He wished to state, as nearly as he could, what the nature of the transaction was. It was this:—in the month of June or July last, Sir Tho-

mas Troubridge wishing to purchase an estate, and having fixed on the place, the name of which he believed was Chitham, in Sussex, he entered into a treaty for that estate, and in consequence of it was very near becoming the purchaser; to complete which purchase he sold out his stock, to the amount of 2000*l.* or 3000*l.* more or less. The person who lived on the estate and rented it, had laid out a great deal of money upon it, and from attachment to it, or from pride, or some other motive, chose to give a great deal more money for the estate than Sir T. had agreed to give; so that Sir T. had not the estate, and therefore he replaced the money again immediately in the funds. He still wished to lay out this money on the first opportunity in the purchase of an estate, and with that view he gave general orders to his agent, that he should, on the very first depreciation of the funds, sell out for him, in order that when he wanted the use of his money, he might not be obliged to relinquish his object, or sell out at a great disadvantage. This agent, so directed, found some depreciation of the funds on the Saturday; on the Monday there was a greater depreciation, and then the agent, without communicating with Sir T. sold this money out of the funds for Sir T.; and he now begged leave to read to the House an affidavit, stating, that Wm. E. Cook, an agent for Sir T. had, for several weeks past, had particular instructions to sell out stock for Sir T. Troubridge, when it might appear to him to be prudent to do so: that he did sell out for Sir T. when he so judged; and that Sir T. did not know of that sale of stock until he, the agent, had reported it to Sir T.; and that he always had power to sell out for him without further communication. Now, Captain Markham said, he did not know how any man was to act, if this was to subject Sir T. Troubridge to any suspicion. How was Sir T. to act with his agent? He gave directions to sell out, when, in the opinion of the agent, stock was likely to fall; and that agent sells out. Now, if Sir T. wished to have made any advantage of his official situation, he would not have done this, for he had money besides this in the stocks, besides that of which he is trustee for his children, over which he has the entire control, and he would not have confined himself to the sale of the stock that happened to be thus sold out by the agent; but none of the stock he had just mentioned had been sold, neither did the agent, Mr. Cook, know of what was going forward, for he had of his own 3000*l.* worth of stock, and which, if he had been let into the secret, he would have sold out. Under these impressions, Captain Markham said, and feeling, as he did, for the honour and long and valuable services of his Hon. Colleague, Sir Thomas Troubridge, it was impossible that he could remain quiet while any imputation rested on such a character. He believed every man in that House knew the character of Sir T. as an Hon. Member, and every man in the service knew him as a gallant meritorious officer, and a man of honour: he felt so much for his honour and integrity, for the unsullied purity of his mind, that he declared upon his honour, and he would utter it if he was going to stand before his Creator at this moment, that he believed Sir T. was absolutely spotless with regard to the reference which had been supposed to have been made to him, and of his having made use of his official situation to avail himself of the sale of property in the funds. Under this impression, there was but one thing he could desire the House to do for the satisfaction of Sir T. and that was, to go into a full and minute investigation of this matter. He hoped that an investigation best adapted for that purpose would immediately take effect, and therefore he should move, That a committee be appointed to inquire into this matter.

Mr. DENT declared that any allusion which he made in the House on this subject was not in the least degree to Capt. Troubridge. The allusion he made was as general as possible, and he believed as generally taken as it was made. That very considerable sums of money had been sold out of the funds previous to the event of the King's message being publicly announced, was beyond doubt; and when he took notice of it in the House, he took care to acquit the Rt. Hon. Gent. (Mr. Addington) of being a party to it, for he believed him to be as immaculate as his predecessor. The statement he made was on this ground: that having given credit to Administration for the time it was known, and having considered when it was made known to the Lord Mayor in the city, it did appear somewhat unfortunate that it should have got before that time to the knowledge of some other persons in the city, not within the knowledge of any one in administration; but something of that sort had got out, from what quarter he did not know; he did not insinuate that it came from any individual in government, but that something was known in the city no one would deny. He made no accusation on any man, he only made a general allusion: every man knew it as well as he did; that he mentioned it as a report, and nothing else; but upon his honour he never meant to insinuate any thing against the character of Sir T. Troubridge, for whom, from the account of others, without being known to him, he had the greatest esteem. He lamented that any affidavit had been made upon this occasion on behalf of Sir T. because he considered his character above all suspicion. He begged pardon of the House for stating so much; he could have wished that his Majesty's government had sent down to the Lord Mayor at nine o'clock in the morning of that day that press-warrants were to be issued; all inconve-

nience would then have been avoided; for he verily believed that nothing of this kind would have happened.

The Chancellor of the Exchequer said he knew the irregularity of getting into a conversation of this sort, but he hoped it would be excused by the House on account of its extraordinary nature. The Hon. Gent. had said truly, that what he had said on a former night was couched in general terms; but it went forth to the country as a stigma upon somebody. The Hon. Gent. whose character had been brought forward to-night, was a distinguished officer, and who was now, he maintained it without the least hazard of contradiction, absolutely and entirely exculpated from all possible suspicion of misconduct. He was in a situation which the House could not fail to feel, and it must be matter of commiseration and regret to every one who knew him, and to every one who knew what were the feelings of wounded honour, to think that any suspicion should have attached on him. That gallant officer and honourable man had had recourse to what the Hon. Gent. who spoke last lamented, namely, the oath of his agent, which proved incontestably his perfect innocence. That agent had sworn positively that Sir T. had no communication with him respecting money in the funds for several weeks previous to the sale of this stock, and it was not until after the period the stock was sold the agent communicated any thing to him upon the subject of it; a circumstance so material, that it was absolutely conclusive upon the case, and no doubt could remain upon it. He was sure there was not one Member in the House who did not believe that the character of this officer was pure. He was sure there was not one man in that House, or any considerate man out of that House, attentive to what was said in it, who did not feel how important and essential it was to the welfare of the country itself, to support the characters of men of station and officers of distinguished merit. The people of this country were a steady and reflecting people, and they would not be very ready to set up any presumptions whatever without proof, against the character of a man whose life had been one constant scene of public services, adorned by unblemished honour. If there was any distinction of good qualities to be made, where all the qualities were good, he would say of Sir T. that he was most remarkable for a sturdy purity and unimpeached integrity. The Hon. Gent. had said, that his allusion was in general terms: that was the very thing he complained of. He called on the Hon. Gent. to speak out, to state any circumstance that attached the most minute or the most remote degree of suspicion, not only on Sir T. but on any individual connected with Government, upon the subject to which his allusion was made. These allusions were not to be hastily and inconsiderately made: Ministers had secrets to preserve, and he hoped they would preserve them when it was proper they should do so. They had secrets to preserve at the time of the signature of the late preliminaries of peace; nothing transpired previous to that event; but after it happened, there was no unnecessary delay in the communication of it. But they did not imagine they would have been accused of making an indiscreet disclosure on this occasion. The very preparation made on the coast of the enemy might have had the effect of which the Hon. Gent. spoke, for that was a matter which could not be known exclusively to Government; many merchants in the city might have known, and he had no doubt many merchants did know, of these preparations; so that this was not matter confined to persons in an official situation. The Hon. Gent. mentioned the circumstance of information to the Lord Mayor at nine o'clock in the morning. Upon this it naturally occurred to observe, there was no magic in any communication to the Lord Mayor of London: no individuals could have been prevented by this from speculation. The fact was, that a diametrically opposite conduct was observed, until the time came when it became necessary to apply to the Chief Magistrate of the city of London to back press-warrants, and then it could be no longer concealed; and this was not known until the Stock Exchange business was over, and he had left the House: it was the determination of himself, and all the Ministers of his Majesty's government, not to disclose any thing upon this subject until the last moment. He begged pardon of the House for saying so much on this occasion, but he thought what he was anxious upon was accomplished, for the character of Sir T. he maintained, was perfectly clear and spotless. And he called on the Hon. Gent. or any man in or out of that House, to do their duty, for it was their duty to state, if they knew the name of any one individual connected with Government, who had been guilty of such a breach of trust as that of turning to his own personal advantage, against the public, any knowledge which his official situation gave him. He meant this not only as applicable to every Member of Government, but to every individual in the remotest degree connected with it.

[Irish militia.]—Mr. Alexander brought up the Report of the Committee on the Irish militia bill; when the resolution respecting the bounty to be given to militia-men was read,

Mr. Windham said he rose to submit to the House some objections to the present measure, though he did not hope, by any arguments he could use, to be able to make any impression upon the House, or produce any modification in the measure now under consideration. His only object was, to enter

his protest against this measure, and to throw out some observations, which perhaps might be attended to in future, when any similar measure was brought forward. He begged, in the first place, to declare, that he was not a friend to militia institutions in general: he did not approve of them in England, still less in Scotland, and his objections were still greater when applied to Ireland. He would take it for granted, because it was the unanimous opinion of all the Irish Gentlemen who had spoken upon the subject, that the militia could not be raised in Ireland as it was in England, viz. by ballot; but he totally differed from them in the conclusion which they drew from that circumstance, viz. that if the militia could not be raised by ballot, that therefore it ought to be raised by bounty. If it could not be had by ballot, he would not have it at all. He spoke without any undue bias upon his mind; he was not a military man, and had neither prejudice or partialities, but he certainly was not a friend to institutions of that sort. When he said this, he hoped he should not be supposed to speak in disparagement of the militia, or of those gentlemen who had exerted themselves with so much spirit and zeal in that service, and who had foregone many of the comforts of life for the service of the country. He did mean to say that institution had been brought to a degree of perfection beyond the most sanguine expectations of those who first proposed the establishment of the militia. He knew that many regiments of militia were as expert, and made as good a figure upon the parade, as any regular regiment: he meant to impute to them no defects which were not inherent to the institution itself. The militia army, however perfect its discipline might be, was an army without experience; and indeed he hoped in common with every body else, that it would always continue so, because they could only gain experience by being called to act against an enemy in this country. He should not be told, that in the whole range of arts, mechanical, intellectual, and manual, the art of a soldier was the only one that did not require experience. It might be said that the men who formed the militia were of the same description as those who constituted the regulars; that the officers of the militia were as brave as those in the troops of the line, and, from the interest they had in the country, must be as anxious to defend it. All this was true, but valour would not do without experience; nay, spirit without experience was often productive of great danger. If even raw troops were going into action, they would feel great confidence if they knew they were led by officers of experience; if they could say, Such an officer distinguished himself in the glorious campaign in Egypt, such a one commanded in such an attack in the West Indies, &c. But if raw men were commanded by officers without experience, the courage of the officers would only make the men apprehensive that they would lead them into useless danger. It was true that one militia regiment, if acting with regiments of the line, might do perfectly well; but the case was very different when the whole, or nearly the whole of an army was composed of inexperienced troops, who certainly were not fit to go through the wear and tear of a campaign. Without enlarging upon this subject, he wished to observe, that he did not think the discipline of the militia equal to the regulars, particularly when we might be going into a struggle which might decide the fate of the empire.

Mr. Noel here called Mr. Windham to order, as he did not consider his arguments as applying to the question before the House.

The Speaker said he considered the Rt. Hon. Gent. as perfectly in order.

Mr. Windham said, that with respect to the defects which existed in the militia force, they did not arise from the fault of any person; they were defects that necessarily arose out of the nature of the institution itself. But it was obvious that a militia force could not be equal to a regular force, because the latter was as good as the former for defensive operations, and might be employed for purposes of offence; whereas the militia could only be employed at home for purposes of defence. If you have a large force, which might be employed both for offensive and defensive purposes, though you might never send them out of the country, yet they would keep the enemy in check, because they could not foresee whether you would send them on foreign service or not; but if the enemy knew that you had a large force in the country, and also knew that you could not send that force out of the country, it certainly would relieve them from any apprehensions of attack on their own coasts. Suppose at the time when Buonaparté marched into Italy, previous to that most unaccountable battle of Marengo, when he collected all the troops he could in France, and made that memorable passage of the Alps, which was almost as celebrated as the passage of Hannibal; suppose at that time we had had 30 or 40,000 men ready to make an attack upon the enemy's coast, he believed that the French would not have ventured to have sent so large a part of their force to Italy.

Mr. Wallace called the Rt. Hon. Gent. to order; he conceived that these observations did not rise out of the subject before the House.

Sir William Pulteney said, though he did not agree with the Rt. Hon. Gent. yet he hoped he would be suffered to go on, because it was necessary that his observations should be answered.

Mr. Windham said, that one of the great aguments for the militia was, the consti-

tional principle, that it prevented the necessity of a standing army: but he thought there was now no ground for the apprehensions that used to be entertained against a standing army: at all events, the danger, if there was any, was remote; while the danger which now threatened was immediate and pressing. He could not consider the militia as a constitutional force in the view it was first intended, because it was now formed almost entirely of substitutes. With respect to the economy of the measure, he wished to observe, that in such a crisis as the present, it would be absurd to be governed merely by views of economy; but certainly when they were considering whether they should give four guineas to militia-men, or six guineas to regulars, they ought to consider the difference there was in point of utility between the two descriptions of force; and, in his opinion, the difference between the two descriptions of force was greater than the difference between the bounties. If this bounty was given to men to serve in the militia, it certainly would very materially impede the recruiting service for troops of the line. He knew that there must be a great degree of partiality upon this subject in gentlemen who had devoted their time and exertions to perfect the militia, and who must therefore feel unwilling to see the effect of all their labour lost; but at a moment like the present, the country must not be governed by such considerations as these. The danger with which we were threatened was of so immediate and paramount a nature, that it required the constant exertion of all the ability of the Government; the least error, the least relaxation, might be attended with the most serious consequences. We were now going close-hauled; and if we only lost a point or two in our course, we run the risk of going to leeward of our port. It had been said, that at such a moment as the present the only object was to call forth the exertions of the country, and that it was wrong to comment upon the nature of those exertions; but, in his opinion, the more imminent and pressing the danger was, the greater the necessity was that the spirit and exertions of the country should be properly directed.

The Secretary at War said, he certainly did not intend to have taken any part in this debate, because he did not think that any Gentleman would have introduced such subjects as they now heard; but he could not sit still after hearing observations which he declared had given him as much uneasiness as he had ever felt since he sat in that House. He agreed with an Hon. Baronet (Sir Wm. Pulteney), that such arguments ought not to go forth unanswered, even if they were irregular; though he thought that the Rt. Hon. Gent. was strictly in order. He did not by any means complain of the Hon. Gent.'s objections to this measure, he only complained that the Rt. Hon. Gent. had made his general objections at a time and upon an occasion when these objections could lead to no practical conclusion. He complained that the Rt. Hon. Gent. entertaining such opinions upon this subject as he now appeared to do, should, while he was in office, have augmented the militia to a degree heretofore unprecedented; for the Rt. Hon. Gent. was at that time in a department immediately connected with the public force. The Rt. Hon. Gent. had not only suffered the militia in England to be so augmented, but while he held an important office in administration, the militia of Scotland was formed, and he believed that of Ireland; and yet upon these occasions the Rt. Hon. Gent. had urged no objection. But now, even if the Rt. Hon. Gent.'s objections should prevail (unless the Parliament were to supersede all the militia laws at once), he stated them for the first time. When the bill, of which the present one was only a part, was before the House, and when, from the situation of the country, his objections could have been more deliberately and maturely examined, the Rt. Hon. Gent. sat perfectly silent. He really could not comprehend how a Gentleman who had served his country so long, in many important situations, and for whose talents and sentiments he had the highest veneration, could have allowed himself at such a time to make such observations. The Rt. Hon. Gent. had occupied a considerable time in proving a proposition which nobody ever attempted to dispute, viz. that the militia were not in every respect equal to the regular force. It was never intended that they should be; they were merely meant as subsidiary to the regular troops, and he was convinced that a better system could not be adopted with a view to the constitutional principle, which he was convinced would never be given up. He begged the House and the Rt. Hon. Gent. to consider what the militia had done. In the year 1780 they saved the capital of this country; and upon every occasion where their services were required, they came forward with promptitude and alacrity; and he was convinced that no country possessed a force, maintained at so small an expense in time of peace, that could be made so effectual in time of war, and called forth at so short a notice. With regard to the militia of Ireland, it was not necessary to remind the House, that at the time of the rebellion they displayed a degree of courage that shewed them to be inferior to no troops in the world, and, in conjunction with the yeomanry, put down and trampled that rebellion under foot, and saved that country to the British crown. As to the militia of England, at one of the most critical periods of its history, they voluntarily offered their services in Ireland; and though the rebellion was put down before

many of them arrived there, yet it must be allowed that they rendered most essential service. In one of the most important expeditions which was undertaken last war, viz. the expedition to Holland, the greater part of the army was composed of volunteers from the militia; and though that expedition failed in part, from causes very different from those which had been stated, yet our troops conducted themselves in such a manner, that those who had upon that occasion to look them in the face, felt no great disposition to repeat the experiment.—Much of the Rt. Hon. Gent.'s argument went upon the supposition that the militia was preferred to the regular force—that was by no means the case. But when the immense possessions of this country were considered, the necessity of the militia for home defence would be obvious. He had the satisfaction of stating that the militia would soon appear to be in a state that would exceed the most sanguine expectations that could have been formed of it—that the regular force was more numerous and in a better condition than it was in any part of the Rt. Hon. Gent.'s administration, and that there were more troops now in Great Britain and Ireland than there were at any period of the last war. He trusted, therefore, that the country would not be disheartened at any observations which the Rt. Hon. Gent. had made, for it was now in a better state than when it had bid defiance to all Europe. He wished that the Rt. Hon. Gent. had heard the sentiments of the Gent. from Ireland, who all concurred in the impossibility of raising the militia of that country by ballot. But at all events, he wished the Rt. Hon. Gent. to recollect, that if the militia of Ireland was not raised in the manner now proposed, it must be attempted to be raised by ballot, or by volunteers, and in that case a bounty of six pounds per man would be given, which would interfere much more with the recruiting service than the present plan. It was true that the present mode would, in some degree, interfere with the recruiting of the army, but certainly not materially, because the persons who entered into the militia were such as would not enter into the regular service. He was sure that the Rt. Hon. Gent. did not wish to dishearten the country, though his observations had that tendency. The Rt. Hon. Gent. had stated, that all the abilities of the country ought now to be brought into action. Undoubtedly every exertion was necessary; but at the same time much would depend upon the firmness and good sense of that House, and upon the prudence which Gentlemen used in the observations which they made in that House.

Sir WILLIAM PULTENEY said, he gave the Hon. Gent. every credit for the ability he possessed, in painting a bad side of the question in such colours, as would render it apparently wise and proper for adoption. But he could not help saying to the Hon. Gent. (Mr. Windham), that he had mis-stated facts with regard to the militia in the two countries, as well as the disposable troops of the nation; and though the militia of the two countries had shewn their courage in numberless instances, and had met with the disapprobation of the Hon. Gent. yet the country at large, except him, had bestowed every praise on these constitutional bodies, who are of national importance. He said the Hon. Gent. seemed to be very much attached to a standing army, as he thought they were more essential to the safety of the nation than any militia that could be established. He said, he thought the Hon. Member appeared too fond of a regular force, and had not given, in his opinion, a single argument sufficiently strong, to induce any Member in that House to support his side of the question. Sir William then noticed several arguments which had been used by Mr. Windham, none of which he said would convince the House that a regular army was preferable to a militia in Ireland, agreeably to a plan proposed by the bill now under discussion. He had to observe, that if the plan now mentioned by the Hon. Gent. was to be adopted, he was sure you would not get the countenance and support of the country gentlemen, and a numerous body of persons who have and will enter cheerfully into the militia. Many hundred persons felt it their duty, for their own private safety, and the safety of the nation, to assist in the constitution of a militia in their respective counties; but few men who had many private ties, as dear as life, and on which life itself depends (such as men in business, and who could not leave their country and families for any length of time), would enter into the regular service, however glorious and honourable the name of a British soldier must sound to the ear of every man: this he thought one important reason for the maintenance of a militia in both countries. He thought this was no time for a discussion like the present—a discussion that would only shew the Hon. Gent.'s extensive talents, and his extensive metaphysical knowledge, which, in the present case, he thought, only went to perplex the question. He said the gentlemen of England were called upon to defend the country; at this critical period it was the duty of every man to use his interest for the public safety; and he did not doubt but there would be but one opinion in the nation, and that was for the maintenance of those blessings we now enjoy, and that could not be done unless the House gave Government that support they were now in want of. He said every Gentleman in that House must remember the courage and conduct of the American militia, who distinguished themselves when they fought on their own ground, and who beat the regular disciplined troops

sent against that country. He had military knowledge enough to know, that a greater number of men would enter into the militia than into the recruiting service. The Hon. Member had by his speech endeavoured to destroy every thing connected with the militia since its establishment in the year 1757.

General TARLETON observed, that he concurred with the Hon. Gent. (Mr. Windham) on many occasions, yet he must differ from him on the present. Experience had proved the utility of a militia in Ireland as well as in this country. Every man must know that we have to deal with a restless neighbour; it was therefore prudent to guard our coast with militia, as well as to have a sufficient body of regular disposable troops at the immediate service of Government. He thought no measure could be suggested to answer the purpose of Ireland as well as the one now under discussion, which he hoped would not meet an opposition sufficiently strong to destroy it. He considered it a measure that immediately called for the support of every Member in the House: it therefore should have his vote.

Sir L. PARSONS said, he had had an opportunity of knowing something of the militia of Ireland as well as of the regular troops, and he was convinced he should not do justice to himself and the brave militia-men of that country, if he had continued silent on a question in which they were concerned. The militia of Ireland had served several years, and had proved themselves a noble and courageous body of men; and though they were at present but a skeleton of a military force in Ireland, it would be extremely impolitic not to increase the numbers of such a useful and praiseworthy establishment. He would call to the recollection of the House, the period when the French landed at Bantry Bay: their conduct at that time, as well as on many other occasions, did them the highest credit: no troops in the universe evinced more energy in the field than the militia of Ireland: those brave men only felt disheartened when the wind would not permit the remaining part of the French to land; this indeed was a painful disappointment to those courageous heroes, who would have carried victory had the French army been double the number. He was sure the Irish militia were of the first consequence to the country, and ought to receive every honour and attention which their courage and exertions had long merited; and he could not sit down till he repeated what had been before observed to the House, that we were at present in a critical situation, and therefore every mean ought to be used to keep an ambitious and overgrown enemy from our coast.

Lord KENSINGTON said, it was the first time he had ever troubled the House on any question, and it was not his intention to trespass on their time for many minutes. The only inducement he had in addressing them, was, a mis-statement made by the Hon. Bart. behind him (Sir William Pulteney), who had said, his Hon. Friend (Mr. Windham) had made an attack on the militia of the two countries. This, he was sure, was not the case; his Hon. Friend had, by no means, said any thing offensive of that body of men; he had taken objections to the militia on general principles, and offered arguments to prove, that a disposable and regular force was of more importance to the country than the augmentation of the militia could possibly be. Whether his Hon. Friend's arguments would convince the House of the propriety of his position, would be seen by the vote of the House: yet he must be permitted to say, from some knowledge in military affairs, that he concurred with his Hon. Friend in some points, and thought that a regular disposable force would be more serviceable to Ireland than the militia. At the same time he had no objection to a militia in either country, yet he thought a regular disposable force was better for either an offensive or defensive purpose than a militia was, as the regular force was generally better constituted and disciplined for actual service than a militia could possibly be. In proof of his assertion, he begged the House to call to their recollection the militia that were sent to Holland, whose exertions proved their defective power, and evinced a want of discipline. This was well known to Government; and had they been all regular troops, there is no doubt but they would have made a better figure.

The CHANCELLOR of the EXCHEQUER said, that the Noble Lord had not stated what Mr. Windham had observed to the House; but as his Lordship's mistake must be obvious to any Member, he would go to his own remarks on the militia; in doing so, he must call to the recollection of the House, that the army who had distinguished themselves in Egypt, were volunteers taken from the militia; and that he was sure that most of the King's officers would be proud to have the regular troops mixed with militia-men. An Hon. Member of this House had said, very properly, that the militia of Ireland had distinguished themselves in the field at the time the French made an attack on their native soil, which did them great honour, and evinced a courage highly praiseworthy. During the last war the militia of Ireland had proved the utility of such a constituted body; and there was not an officer in the House who had to conduct the militia of Ireland, but was proud of the exertions of those brave men who had been under his command.

Sir W. PULTENEY rose to say a few words by way of explanation. From a remark that

had been made on his observations on the militia of America, it appeared necessary for him to repeat what he meant. He observed, that he had before stated, that the militia of America had beat the regular troops, and that he did not doubt but the militia of this country and Ireland would beat the French whenever they met.

Sir EYRE COOTE said, he rose merely to say, that the militia who had been sent to Holland had not evinced any want of courage or discipline, and all they were then in want of was a little more time; but there were many circumstances that combined at that period which rendered their exertions abortive. From the best information that could be obtained, he had no doubt but a militia in the two countries was highly necessary to be supported with the utmost vigour.

General MAITLAND made several observations on the militia of Ireland, and concluded with saying, the measure should have his support, as he thought the establishment of a militia was of the first importance to the two countries.

Mr. WILBERFORCE said, at a period when the public safety was endangered, it was certainly highly necessary to consider of the most effectual means of providing for that safety. If any Hon. Gent. thought that the present was such a period, then it was their duty to propose whatever means they thought the most effectual for providing for that safety. There was a period, however, when we had to contend against the whole force of France and Spain, when the militia was increased without any objection being made by his Hon. Friend (Mr. Windham), which enabled him to plead his Rt. Hon. Friend's authority against himself. The militia was the proper constitutional force of the country, and formed that which we ought to have, a large defensive force. No man could look upon a standing army with more constitutional jealousy than himself; but perhaps his Hon. Friend (Mr. Windham) had a great love for expeditions, and therefore thought that a militia force was not so immediately applicable for those purposes. If a standing army were to be raised in Ireland, instead of the proposed militia, it must necessarily be inexperienced, and therefore those who opposed the militia had no right to make use of the argument of inexperience against it. Something had been said by his Hon. Friend, as if his Majesty's Ministers were to set themselves above the opinion of the people; but he thought, in a free country like this, that popular opinion, to a certain degree, was the best regulator of the conduct of Government, and ought to be consulted.

Mr. ALEXANDER defended the system of militia laws in Ireland, and observed, that gentlemen of rank and fortune could not be expected to enter as volunteers into the regular service; they could best defend their country at the head of the militia.

Mr. W. ELLIOT adverted to the point of order, and said, it appeared to him to be a new question, that, when the House were called upon to vote an additional bounty like the present, they should not be allowed to go into the general question. He objected to the proposed bounty, because it would tend to injure the recruiting service in Ireland. The constitutional mode of obtaining a militia was by ballot; but he was answered, that in Ireland a ballot could not be effected. This, in his mind, was an objection against the establishment of a militia. This measure went to raise a force in Ireland on the principle of the fencibles; it would no longer be a militia, but a fencible force of the worst species. He had been told on a preceding evening, by the Attorney General of Ireland, that he voted in the House of Commons in Ireland for a military force.

Mr. BAGWELL spoke to order, observing, that the Rt. Hon. Gent. was referring to an argument used on a former evening by a Gent. not then in the House.

Mr. ELLIOT proceeded. When he was in office in Ireland, he said, the militia were not only embodied, but encamped; it would therefore not have been a very safe measure to have proposed at that period to dissolve it. What was the case now, when the militia was disbanded? The question now was as to its revival, and he objected to the policy of the measure. He did not wish to excite alarm; but if any measure was calculated to excite alarm it was one like the present, which went to lay the country prostrate at the feet of its enemies. With respect to the actual danger of the country, he hoped it would not be led into a war in darkness and obscurity; but he should even think a war in any shape preferable to a continued series of submissive and pusillanimous conduct.

Lord CASTLEREAGH said, the question before the House could not justify the Hon. Gent. in going into charges against his Majesty's Ministers for submissive and pusillanimous conduct. He was not surprised at a disposition being evinced to debate the present measure, as it arose out of a subject which was dear to the community. If his Hon. Friends thought the defence of the country would be better maintained by a standing army than by a militia force, they were certainly perfectly justified in making objections to the latter. He differed with them however *in toto*; he was perfectly satisfied that it was impossible to have a better defence than a constitutional militia force.

Balloting was undoubtedly the constitutional mode of providing that militia; but if the question was as to the injury done to recruiting, there could be no doubt that the mode of ballot was the most injurious.—There were contrivances in this country to render the ballot less onerous by means of parish subscriptions:—the present was only a mode of making the country subscribe, as a body, to raise the men which it was called upon to provide. He was satisfied that Ireland could not be considered as in a perfect state of security, if it was trusted to the protection of the regular troops alone.

Mr. HILEY ADDINGTON said, the argument which had been used, that the present measure would be injurious to the recruiting service, had been conclusively answered by his Rt. Hon. Relation. In fact, there was a conclusive answer to it in the nature of things, as it was well known that many persons would prefer a larger bounty and enlisting for life, whilst many also would prefer a small bounty and a limited period of service. He had held a pretty high situation in a fencible regiment, part of which he had himself raised, and he did not know any individual of it who would recruit; and even when it was disbanded, not one fifth of the whole became regular soldiers. With respect to the militia, he would ask a distinguished officer (Sir Eyre Coote) who had spoken in this debate, whether a regiment of militia in service at the period of the expedition to Holland, and sent thither, would not serve with as much courage and discipline as any other? The Hon. Gent. (Mr. Elliot) as well as his Rt. Hon. Friend (Mr. Windham) had taken a comparative view of the militia and the regulars, but in such a way as to give all the merit to the latter; and he confessed some comments had been made upon the militia, which excited uneasiness in his mind. If the present was, as had been stated by a Rt. Hon. Gent. a period of greater danger than any during the late war, why depreciate one of our best supports? He could not help thinking that they shewed a want of consistency. The Rt. Hon. Gent. (Mr. Windham) had thrown out a charge against his Majesty's Government, of a want of prospective wisdom; and another Hon. Gent. (Mr. Elliot) had charged them with submissive and pusillanimous conduct. He defied those Hon. Gent. to produce a single instance to prove those charges; and till they did that, such charges must be considered as mere random assertions.

Mr. WICKHAM said, it would be still open to the colonels of militia, or the Lord Lieutenant, to continue the bounty as it was before this measure, or to lower the present bounty. There was no intention at present of granting the whole bounty mentioned in the resolution.

Mr. WINDHAM, in explanation, said, he did not distrust the loyalty or the spirit of the militia; but he still thought them inferior to troops of the line.

Mr. DAWSON thought it whimsical that the present measure should be opposed only by the late Secretary at War for England, and the late Secretary at War for Ireland. The Irish militia, he said, had put down rebellion, and had materially contributed to repel invasion.

The resolutions were then agreed to, and a bill ordered pursuant thereto.

HOUSE OF LORDS.

Thursday, March 17. (See Minutes, p. 507.)

[IRISH CHALKING ACT.]—The second reading of the Irish chalking act being moved,

Lord AUCKLAND rose to make a very few observations on the bill. He did not mean to go into detail on the subject, but considered it his duty to allude to the difference which the bill went to establish betwixt the criminal laws of the two parts of the United Kingdom. A difference of this kind was in every case to be deprecated, but more especially when it regarded the criminal laws of the country. Some delay, therefore, in proceeding to the committee on the bill might be desirable, to enable their Lordships to consider how far it might be expedient to extend the provisions of the bill to this country.

The ARCHBISHOP of DUBLIN professed his inability to form an opinion how far the extension to which the Noble Lord alluded might be applicable to the circumstances of this country; but of its necessity, as far as Ireland was concerned, no one acquainted with the state of that part of the United Kingdom could doubt for a moment. In this country the crime was of rare occurrence, and therefore it might be a matter of doubt how far policy would suggest the propriety of making a general enactment on the subject. No man, however, could have lived twelve months in Ireland, without being convinced that it was essential to the safety of the peaceable part of the community.

The LORD CHANCELLOR called the attention of their Lordships to a point which was entitled to particular attention. He had more than once had occasion to advert to the mode in which bills of the most important kind were introduced into that House. The second reading was not preceded, as it certainly

ought to be, with respect to bills whose general nature was not understood, by a short explanation of their object, but as a mere matter of course. This observation, in the present instance, was suggested by the title of the bill. It was entitled, A bill for the more effectual prevention of chalking; a practice, of the nature of which he professed his ignorance, and he believed many other Noble Lords would acknowledge the same ignorance. It was certainly the duty of those who were employed in introducing the bill, to have given this explanation, and thereon he took this opportunity of alluding to a general ground of complaint. His Lordship agreed with the Noble Lord who began the discussion, that it was highly desirable to have as little discordance as possible betwixt the criminal laws of Ireland and this country, but gave no decided opinion how far the extension might be necessary.

Lord Carleton gave a short sketch of the circumstances which rendered the present bill necessary. The practice which it was designed to punish was one which, at the time when the act was framed, had become highly alarming; and it was to counteract so serious an evil, that it was originally submitted to the Irish Parliament. About two years ago it had expired, but at the present moment it had again appeared necessary to renew it. He agreed with the Noble and Learned Lord who spoke last, that the title of the bill was not one very intelligible in this country, where the practice from which it was derived was almost unknown. In Ireland, however, the practice was unfortunately too well known, and the title was one universally understood. He professed himself not in possession of such a knowledge of the existing circumstances of the country as to be able to judge of the expediency of the extension.

Lord Ellenborough saw very powerful reasons for some improvement in the criminal law of this country, so far as assaults, with intent to commit murder, were concerned. He alluded particularly to the case of a trial at the Old Bailey (the trial of two men for cutting and maiming a man near Hammersmith, at one of the late sessions), where, under circumstances of the greatest atrocity, the capital part of the indictment was done away, because the crime of the prisoners did not come within the meaning of the act under which they were tried. He was desirous, therefore, that their Lordships might have an opportunity of considering how far the extension of the act to this country might be desirable. His Lordship adverted particularly to the manner in which the bill was framed. There was a great deal of superfluity of expression, which might in the committee be curtailed. His Lordship therefore wished that Monday might be fixed for going into a committee on the bill.

Lord Alvanley corroborated the statements of the Noble Lord, and argued in favour of some improvement in our criminal code. As the law now stood, an assault with a view to robbery was a felony, though not of a capital nature; whereas an assault with the view of perpetrating the crime of murder was a simple misdemeanour. He agreed entirely with his Noble Friend in what he had said about the case to which he had alluded, and he was sure all of their Lordships must see there was a necessity for revising the law, when a crime, in all its circumstances so atrocious, had escaped adequate punishment, merely from want of evidence that the criminals had lain in wait with the intention of perpetrating the crime. His Lordship was very pointed on the loose and inaccurate manner in which the bill was couched. In this respect it required very considerable improvement. He alluded to several clauses in which the language was extremely inaccurate. In one part of the bill it was enacted, that no person being in Ireland, should, without subjecting himself to certain penalties, be guilty of the crime specified in the bill. There was, however, a great want of precision here, because it might be inferred from that, though a person could not, without subjecting himself to penalties, be guilty of this crime in Ireland, he might with impunity perpetrate it in England, in Scotland, or, in short, in any other quarter. After dwelling on this topic, his Lordship concluded by declaring his complete approbation of the proposed delay.

The bill was then read a second time, and committed for next day.—Adjourned.

HOUSE OF LORDS.

Friday, March 18.—*(See Minutes, p.* 507.)

[The navy.]—The Earl of Carlisle called the attention of their Lordships to a motion, which he proposed to make that evening, had he seen those Ministers he had expected in their places. The proposition was of that nature, which he thought, on considerations of fairness and candour, it would not be proper to urge without at least giving some notice. What he had in contemplation (the Noble Earl observed), respected the artificers in his Majesty's dockyards, on the discussion of which subject he thought it would be proper that his Majesty's Ministers in that House should be present, particularly, his Lordship seemed to say, the Noble Earl at the head of the marine department, from whom it was naturally to be expected, peculiar information and assistance would be derived. For his own part, he

came forward as an independent Peer of Parliament, and actuated by no other motives whatever than his own sense of what was his duty in that character. He came forward on his own motion, unconnected with parties, as an unbiassed and independent Member of that House:—he was, happily,

"Unplac'd, unpen sion'd, no man's heir or slave;"

as such, he would freely, and without reserve, deliver his sentiments upon all public questions, in the discussion of which he should take a part, without reference to the opinions, the feelings, or the language of any person. He was unsolicitous whom his public conduct or his language offended, while it was inspired by a strong sense of what he conceived to be his Parliamentary duty. He was regardless of what the effect, under such impressions of his language, in delivering what others might deem his poor and narrow opinions, might be. He was regardless of the remarks, which their delivery might draw down from any quarter, either in the way of invective, sarcasm, or pretended admonition. He was utterly regardless of what might be asserted of him in that respect: whether his notions and sentiments pervaded only the narrow and limited circle of society in which he moved, or whether their effects or consequences were said to be more extensive; it was of no consideration to him what might be said in that respect, so long as he felt he performed his duty conscientiously as an independent Peer of Parliament. With respect to his proposed motion, the Noble Earl said, it was his intention to bring it forward on an early day next week, should he see Ministers in their places.

The LORD CHANCELLOR quitted the woolsack, and observed, that with respect to the motion which the Noble Earl had announced his intention to bring forward, he could of course say nothing, because he knew nothing of its nature, from what the Noble Earl had stated. It might be of an unobjectionable, or perhaps of a questionable nature—he could not then possibly decide. With respect to other parts of the Noble Earl's observation, he should only say, that, in regard to the Noble Earl's Parliamentary conduct, he was convinced it would always be guided by pure and honourable motives. The Noble Earl would, at the same time, recollect that others had their feelings with respect to what may be said, as regarding unfounded imputations thrown out, as well as the Noble Earl himself. The question was not so much what individuals may think of themselves, as what others thought of them. As to the confidence of the country, those with whom he had the honour to act, had every reason to be satisfied from the conduct of that constitutional organ of the country, the Parliament—that confidence, they trusted, would, without reference to the opinion or assertions of individuals, be continued to them as long, and in such degree, as they continued to deserve it.

The Earl of CARLISLE and the Lord CHANCELLOR afterwards spoke severally in explanation; in the course of which the Noble Earl stated, that his motion should be for the production of the monthly returns, at certain periods, respecting the artificers in his Majesty's dock-yards.

HOUSE OF COMMONS.

Friday, March 18.—(*See Minutes, p.* 507.)

[MILITIA OFFICERS' BILL.]—The order of the day was read for taking into consideration the militia officers' bill.

Lord FOLKSTONE said, he was surprised that an opposition had not been made to this bill on its first reading, and he could not but express his astonishment that no other Gent. had stood up to oppose a bill, which he thought went to reduce the dignity and consequence of the militia of this country. The militia was supported by men of fortune, whose situation in life would not permit them to enter into the regular service, as they could not leave the country, or conform to many necessary laws which attend the regular service; and therefore every care ought to be taken to prevent improper and unqualified persons from mixing with gentlemen of the first consequence in the country. The bill now under discussion would allow persons to enter into the militia who were by no means qualified, which would prevent men of fortune from considering a situation in the militia as an object of their ambition, consequently its present importance would soon be on the decline. A number of half-pay officers would be daily entering into the militia in preference to the regular service, where they ought to be. He did not mean by this observation to say any thing disrespectful of those gentlemen; but he thought every care ought to be taken to keep up the dignity of the militia, and every inducement held out to gentlemen of fortune to enter into it. On these grounds he thought proper to oppose that clause of the bill, which allows unqualified persons to enter into the militia.

The SECRETARY at WAR said, he thought the speech just delivered by the Noble Lord, went to give a death-blow to the militia of this country. The clause objected to by the Noble Lord went to this effect, that those gentlemen who held a rank in the militia last war, should have the privilege to hold the same rank in the present militia. This principle had been acted upon before, and he now saw that this clause would not be productive of any ill effects, or tend to lessen the dignity of

the militia of this country. He thought that the Noble Lord's observations, with respect to qualified persons going out of the militia, if the persons alluded to enter into it, was very improper, and ought not to have been made. No Gent. in the House could feel a greater desire to support the dignity of the militia than himself; but he thought the Noble Lord's objection to the clause he alluded to would not meet with the support of the House, as it was highly advantageous to the constitution of the present militia.

Mr. SHERIDAN said, the Noble Lord ought to have had a better reason than what he had just offered, as an objection to the bill. If the country is in that critical state that requires an immediate defence, he hoped that courage and exertion would be esteemed in preference to property. He thought the Noble Lord had been very illiberal on the gentlemen who fill various situations in the army. He was astonished to hear the Noble Lord say, that qualified men would leave the militia, if half-pay officers and indigent persons entered into it. He would ask the Noble Lord, how many qualified persons the Lord Lieut. would be able to get to answer the exigence of the moment, particularly when the young gentlemen of the country at present think of nothing but horse-racing and the sports of the field: if the country gentlemen are so jealous of the dignity and consequence of the militia, they should use their endeavours to fill the present vacancies in the militia with their friends, and not neglect the safety and interest of the country, from a false ambition for property. It is only courage and honour that will place the laurel on the soldier's brow. He therefore thought the Noble Lord's objection to the bill would have but little weight with the House.

Mr. BASTARD said, notwithstanding what the last Hon. Gent. had said, he thought the dignity of the militia ought to be supported.

Lord FOLKSTONE said, that Gentlemen had misunderstood him. He never said that unqualified persons being admitted into the militia, would prevent qualified gentlemen from entering into it. He spoke without any intention to be personal to any body of gentlemen. The Noble Lord then repeated his observations on the question, and perfectly concurred with Mr. Sheridan, that the young gentlemen should, at this moment, exert themselves for the defence of their country. He said he had applied, yesterday, to the Lord Lieut. for a regiment, and it was his particular wish that the militia should be supported by gentlemen of fortune.

Mr. SHERIDAN expressed his approbation of the Noble Lord's intention to exert himself for the safety of the country; but if gentlemen did not come forward, Government must take such measures as will be necessary for the security of the nation; and he hoped the Noble Lord's example would have a better effect than his speech.

General TARLETON made a few remarks on the bill, and concluded by saying, that he thought the clause would produce disagreeable effects to the gentlemen now, or at any period, in the militia.

Colonel MITFORD agreed with the Noble Lord, that men of fortune should not associate with persons who are not qualified; but the honour and dignity of the militia depended much on the colonels, who ought to be very particular as to the gentlemen they brought into the militia.

Mr. FRANKLIN said, the bill now before the House gave the Lord Lieutenant the power to select persons for the militia, and reject those who should be considered as unqualified for the service; therefore there is no danger of improper persons being offensive to this honourable establishment.

The SECRETARY at WAR said, he hoped the young gentlemen of the country would feel a disposition to enter, that the vacancies may be early filled; and it was his particular wish, that gentlemen should deliver their sentiments on the bill as it went through the committee.

The bill was read a second time, and ordered to be committed on Tuesday.

HOUSE OF LORDS.

Monday, March 21.—(See Minutes, p. 508.)

[NAVAL ARTIFICERS.]—The Earl of CARLISLE rose to bring forward his promised motion relative to the artificers in his Majesty's dock-yards: his Lordship prefaced it with a few general observations, referring to the necessity which existed in the present situation of the country, for Parliament to be informed upon certain points respecting the conduct of that most important branch of the Government, to which the subject of the motion related. On a due administration of the affairs of that department, the security of the country, in the present state of affairs, in a great degree depended. The information called for by the motion, was important, the Noble Earl observed, as forming the groundwork of other propositions, which, perhaps, he should find it necessary to bring forward. He then repeated some of his former observations respecting the general conduct of Ministers, who, he seemed to say, were not yet fairly tried; when they were, it would then appear how far they enjoyed that confidence of which

they boasted. After some further comment on these topics, the Noble Earl moved to the following effect:—"That the proper officers "do lay before this House, a monthly return "of all the artificers employed in his Majesty's "dock-yards, from the month of May 1802, "to the present period."

Lord HOBART rose, and expressed his opinion, that the House ought not to agree to a motion of such a peculiar nature and importance, without hearing adequate grounds and reasons assigned for its adoption. Not one, he contended, had been advanced by the Noble Earl. His Lordship seemed to regret the absence of the Noble Earl at the head of the marine department, who of course possessed a more detailed knowledge of the subject to which the motion referred, than he could be supposed to possess. With respect to what the Noble Earl had been pleased to advance relative to the general conduct of Ministers, he could only then assure him generally, that these Ministers always held it their duty, and had so acted, to do that which they firmly believed would most conduce to the real interests of their country, and so acting, they were secure of its confidence. The Noble Earl had spoken of the trial of Ministers, but let that trial come on when it may, he, for one, was not apprehensive of its result. He was sure that Parliament had sufficient grounds for judging of Ministers by their conduct, and the conduct of Parliament had as clearly manifested its sense of their merits. He then vindicated, in general terms, the character and conduct of the Noble Earl at the head of the Admiralty, against every imputation; and he must believe that that character stood as high in the public opinion as ever, until he heard that something like a specific charge was urged against him.—Indirect insinuations were of no weight with him, until specific charges were made. He had every right to presume that there was nothing in the administration of the important department in question, that called for an inquiry to be set on foot; and with respect to the particular motion then before the House, he held it his duty to resist it, until he should hear adequate reasons assigned for its adoption.

The Earl of CARLISLE in reply observed, that the thing was so simple in itself, and he had so plainly stated the object of the motion, that he did not think it necessary in the first instance to take up their Lordships' time. He contended, that Parliament should have every degree of information which could be attained without dangerous consequences to the real interests of the country. Nothing could be further from his intention than to offer any personal imputation against the Noble Earl, or disrespect towards him. On the contrary, no man in that House could more highly value that Noble Lord's services than he did. He felt the obligations which the country owed to Earl St. Vincent, and no man could more duly appreciate his great and eminent services. But, on the other hand, the more especially on such a crisis as the present, he had to consider his own duty as a Member of Parliament. The Noble Lord in question was to be regarded as a public character, and it was essential that the management of the affairs of the department over which that Noble Lord presided, should be such as to meet the present exigency of affairs. Its vigour and alertness, his Lordship seemed to say, should be such as to enable us to meet the French off Brest. He must be allowed to entertain his own doubts, and to observe, that even generally, in the public mind, some existed with regard to the management of the affairs of the Admiralty. It was important it should be known how Ministers had acted in these respects during the summer, and at a time when they were alternately arming and disarming, and whether the other measures of Ministers at home were commensurate to their conduct abroad. In this view, he thought it was incumbent on Ministers to afford every information. He had, at first, no wish to urge the motion, but entertained an idea of withdrawing it; but after what had passed, he had his doubts with respect to the propriety of such a proceeding.

The LORD CHANCELLOR then put the question.

Lord GRENVILLE begged leave to offer his advice to his Noble Friend, namely, that on the present occasion he would withdraw the motion. However, should he be compelled to give a vote, he would do it on the ground of his having heard no argument whatever for its rejection. In a moment like the present, he should be sorry that any thing should come from those with whom he agreed in opinion—even a motion in that House, which might throw any thing like embarrassment on the conduct of the King's servants. With respect to the subject to which the motion referred, it was one, he thought, into which inquiry should be instituted at a proper time. In consequence of the line of conduct adopted by Ministers for the last eighteen months, for some time past their responsibility was great beyond all former precedent, inasmuch as they had afforded no satisfactory information to Parliament, nor explained any part of their conduct whatever. They had seen measures done and undone, adopted and altered, and Parliament called upon to vote large estimates, merely on grounds of supposed notoriety. Ministers and the country were now so circumstanced, that he wished it might not be said with truth, that those with whom he acted, had done any thing tending to throw difficulties in their way: there would be future

opportunities for discussion, and on these grounds it was that he requested his Noble Friend to withdraw his motion for the present.

The Earl of CARLISLE, in a few words, expressed his acquiescence in the proposition of his Noble Friend, but at the same time observed, that no well-founded objections had been offered against it.

Lord PELHAM expressed his opinion, that a motion like that in question should not be agreed to, except distinct and adequate reasons were assigned for its adoption, and specific grounds urged for going into the inquiries alluded to. He perfectly agreed in what had fallen from his Noble Friend, that nothing had been suggested by the Noble Earl, in reference to the naval department, that constituted sufficient ground for inquiry; he should not, therefore, at present enter into that line of discussion. With respect to the point of which so much had been said, the conduct of Ministers, that, with reference to the peculiar circumstances of the country, would, at a proper period, be a fair ground for inquiry. But it was the consolation of his Majesty's present Ministers, that, with a reference to the existing circumstances of the country, their conduct had been such, as they conceived to be most conducive to the honour and the interests of the nation. On that ground it had been satisfactory to themselves, and had been sanctioned by Parliament; in that line of conduct they would persevere, nor would they be drawn from it by any taunts which may be thrown out against them. With respect to motions of such a nature as the present, he expressed his hope that the House would not countenance a sudden investigation at any time, without adequate grounds being previously assigned.

Lord GRENVILLE in explanation observed, that Ministers could not consistently be said to rely on the confidence of Parliament and the country, as they uniformly withheld all knowledge and information whereby either could rightly judge of their conduct. They had gone on arming and disarming, without condescending to let the public know the circumstances which warranted such contradictory and opposite measures.

Lord HOBART, in reply, observed, that it was with Parliament alone to draw such conclusions; the sentiments of which had plainly indicated how far it approved of the conduct of Ministers. Since their accession to office two very great and important political measures had been completed, namely, the peace with the Northern Powers, and the subsequent peace with France. The unanimous approbation which both these measures met with was unprecedented in the annals of Parliament.

Lord GRENVILLE shortly observed, that these circumstances had no application whatever to the points in question, which referred only to the conduct of Ministers during the last eighteen months.

The Earl of CARLISLE spoke shortly in further explanation.

The LORD CHANCELLOR quitted the woolsack, and after noticing the tenour of the motion, observed that the Noble Earl's complaining that no reasons were given why the motion should not be agreed to, appeared to him a little extraordinary, as he had always understood, that when motions of that kind were made, it was necessary that some reasons should be given for their adoption. The subsequent conduct of the Noble Earl appeared to him to be equally extraordinary. After having proposed the motion, without assigning any reason why it should be adopted, he now contents himself with withdrawing it, because he had heard no reasons for its rejection. The Noble and Learned Lord then proceeded to enforce the objections offered by the Peers on the ministerial bench, and added, that the Noble Earl had rather inconsistently asserted the object of the motion to be for the correction of evils, without condescending to state what those evils were. His Lordship then proceeded successfully to combat the general assertions made by the Peers in opposition, argued the inconsistency of their conduct, on their own principles, in judging the conduct of Ministers, previously to the institution of those inquiries they so loudly called for.

The question was then put, on a proposal from the Noble Earl (CARLISLE) for withdrawing this motion, and agreed to.

HOUSE OF COMMONS.

Monday, March 21.—(See Minutes, p. 508.)

[EAST INDIA ACCOUNTS.]—The report of the committee on East India accounts was taken into further consideration. The resolutions were all read and agreed to, without any observation being made on any of them, except the last; and the question being put upon which,

Mr. FRANCIS said, he thought it proper for the satisfaction of the House, to explain what he meant by the word "false," as applied to the Indian accounts now before Parliament; and in doing this, he hoped every Gentleman would put the liberal construction on the intended application of the word, that was really meant by the use of it. When he used the word false, as applying to the accounts before the House, he did not mean to accuse any Hon. Gent. of having committed the least act that would stain his honour: he had only used it to convey this meaning, that the accounts

which had been offered to Parliament were incorrect; and, therefore, to express his opinion of those accounts, he had called them false—a word used and well understood in logic, which is not of personal application, but only expresses the inaccuracy of a position or statement. He could assure every Gentleman present, that he had no intention to apply the word in any other way than as explained by him. He understood of the Noble Lord who had laid the India papers before the House, that the Legislature was to guaranty the stock of the India Company, to the amount of twelve millions of money, with other circumstances connected with the Company, which had not in his mind been clearly laid before the House; the neglect of which, and inaccuracy of the accounts, were the objects of his complaint.

Mr. Theophilus Metcalf said, every Member in that House had a right to investigate the papers now before them relative to the affairs of India, but no Gentleman should go so far as to say, that the East India Company had taken any measure to conceal any part of their accounts, with an intention to deceive Parliament. If the Hon. Gent. thought the accounts were false, it was his duty to bring the business before the House in a regular way. The article alluded to by the Hon. Gent. (Mr. Francis), he had taken every method to explain on a former occasion, and had pointed out to the House, in the clearest possible way, how the money had been applied, and every circumstance connected with the article which has been the object of comment by that Hon. Gent. He said, he was aware that publishing the debates in Parliament, was contrary to the privileges of the House; however, on that subject he should not dwell, but he could not but make an observation on a paragraph in one of the public prints, which, in his mind, appeared something like a puff, and intended to have some weight with the public relative to the question now under discussion; but he could assure the House and the Hon. Gent that the Company's accounts would bear a minute investigation, and convince those Gentlemen who may feel inclined to examine them, of the justice and honour of the East India Company, and that the affairs of the Company were in a better state by a million or two than they had been. Mr. Metcalf then requested the Clerk to read the Journals of the House with respect to the sum of twelve millions alluded to by the Hon. Gent. [After the Clerk had read the record] he declared that there was a balance in favour of the Company of upwards of two millions, notwithstanding they have had heavy difficulties to struggle with, and which must always attend them during a war. The Hon. Gent. then went over several parts of the accounts he had on a former occasion entered at large into, which, he said, must be clear to any Gent. who would take the trouble to give them a minute consideration.

Lord Castlereagh said the last Gent. had, in his mind, given so clear a statement of the facts, that it was unnecessary for him to trespass on the attention of the House a minute, but he thought it right to observe that the Company had a claim on the public. He said that the original capital was 6,700,000*l.* His Lordship then went over several parts of the accounts which he had before explained on the night he brought the subject before the House, and concluded by paying Mr. Metcalf a compliment on the accuracy of his statement.

Mr. W. Dundas made a few general remarks on the Company's accounts, and considered them as very accurate.

Mr. Johnstone said, that it was very clear from the accounts which had been laid before the House, that the Company's affairs were in a worse state this year, than they had been found to be for several years back, by thirteen hundred thousand pounds, together with other deficiencies, which fully evinced, that they were not in that flourishing state which had been reported; and on a minute investigation of the accounts, they would be found very defective.

Mr. Wallace contended, that the estimates ought to be depended upon, inasmuch as they were always made with great care, and they had always been found to be as correct as the nature of the subject would admit. He then referred to a statement made by Mr. Dundas in his budget in 1796, and contended that he had never stated, that the public were to enjoy their participation at all events, whether the Company should be in a state of peace or war.

Mr. Kinnaird said, he was highly gratified with the statement given by a Noble Lord on a former night, respecting the situation of the East India Company; but there was one question which he wished to ask. It had been stated, that the war did not break out in India till 1798, therefore from the year 1793 to 1798, a period of five years, the Company enjoyed a state of peace. He wished to know whether, during that period, any and what money had been paid to the commissioners for the guarantee fund.

Lord Castlereagh said, that if the Hon. Gent. had read the act of Parliament, he would have found that no money could be paid towards the guarantee fund, until the East India Company's debt was reduced to the point required by law.

Mr. KINNAIRD said, he was perfectly satisfied with the explanation.

The resolution was then agreed to.

HOUSE OF COMMONS.

Tuesday, Ma c' 22. (See Minut p. 508.)

[MILITIA OFFICERS' BILL.]—On the motion of the SECRETARY at WAR, the House resolved itself into a committee of the whole House on the militia officers' bill. He observed, that he had made a few alterations in the words of a clause or two, which were merely technical.

Mr. BASTARD said, notwithstanding much had been observed to the House with respect to the clause which gave the Lord Lieutenant the power to accept the services of non-qualified men, he could not but express his disapprobation of the clause, as it would prevent men of landed property from giving their services to the militia. He was sure if persons were indiscriminately suffered to enter in the militia, as the clause in question would allow, men of property would not enter.

The SECRETARY at WAR said, the propriety of the clause must be obvious to every one, as the Lord Lieutenant must have the power to fill up the vacancies with unqualified persons, if men of landed property did not offer themselves.

The Hon. HENRY LASCELLES said, that as the clause now stood, the Lord Lieutenant had the power of choosing whom he pleased: he wished that men of landed property should have the preference.

The SECRETARY at WAR said, he thought it proper to vest the exercise of that authority in the Lord Lieutenant, as a man might be a proper person for the militia in consequence of his property, but a very improper person from various other circumstances.

Colonel MITFORD contended for the importance of the militia; he observed he did not mean to say any thing unhandsome of those gentlemen in the regular service, but he thought the militia ought to consist of men of landed property; and as many gentlemen in the regular service were often not very wealthy, the two descriptions of characters ought not to associate with each other, in the sense he meant it, as public men.

Lord FOLKSTONE concurred with the objections which had been made to the clause in question.

Mr. BASTARD said, there was a period when the militia of this country was a body of the first consequence, but they had not been treated with kindness; and there was a time when men of the first consequence felt an ambition to enter into the militia; but the treatment they had experienced had chilled the desire of many gentlemen for the support of its dignity and consequence, and therefore there was no wonder that Government found a difficulty in filling the vacancies in the militia; as, during the last Parliament, a bill went through the House, that went at once to rob them of every dignity and comfort—and if that act was renewed, the House would again witness the great support of the country lessened and degraded. But he hoped Parliament would be cautious how they treated this valuable bulwark of the nation, on whom we should depend for the protection of those blessings we now enjoy. "Use," said he, "your militia with kindness, and you will find they will stand before an enemy with zeal to defend the country."

The CHANCELLOR of the EXCHEQUER said, in answer to the observations of the Hon. Gent. who spoke last, that his Rt. Hon. Friend, who had brought in this bill, was a true friend to the militia system, but that the observations of the Hon. Gent. who had just spoken (Mr. Bastard) did not apply to the principle of the bill now under consideration, though the Hon. Gent. undoubtedly meant that they should. He denied that the militia were insulted by the acts of the last Parliament, neither were they degraded; some of the measures of Parliament were indeed such as might have been wished to have been otherwise; but the committee, as well as the Hon. Gent. who spoke last, would have the goodness to remember, that the measures to which he referred were not measures of choice, but of necessity, and the Hon. Gent. as well as others, acted under it from necessity; and he would be as ready as any one to obey that necessity if it existed now; but would the Hon. Gent. state, that we were in the same situation as we were then? Certainly we were not. That situation arose from a consciousness that the other forces of his Majesty were employed in every part of the world; and could we forget what was due to the militia for their services, in consequence of his Majesty's forces being so employed? What were the instruments by which we supported our glory? The militia. How was Ireland defended? By the militia. How were our victories obtained on the coast of Egypt? By the very measure which the last Hon. Gent. condemned; by the laws which were made in the last Parliament for the regulation of the militia, and by the excellent conduct of that constitutional body of force—we could not have had those triumphs but in consequence of the measures taken by Parliament with regard to the militia. He had already said, however, that these measures of the last Parliament were the effect of necessity.

God grant that the necessity of recurring to such measures might never be felt again! These observations he thought he was called upon to make, in consequence of what had just fallen from the Hon. Gent. or he should not have made them, for he had no intention, when he came to the House, of taking any share in the discussion of this bill. But now that he was up, he could not help making a few, and they should be a few, observations. It had been stated, that the clause now proposed was a direct infringement on the militia laws. That it was an invasion on the original system, or a novelty in it rather, he did not deny; but he submitted, that it had been rendered unavoidable by the change which had taken place in the militia since the institution of that constitutional force, He knew that the militia was supported at its commencement with the ardour of the landed interest of this country. He knew also, and he had much pleasure in reflecting, that that ardour continued to a great extent; but it should not be forgotten there were other claims upon the patriotic exertions of gentlemen of the landed interest; that there were demands on their public spirit, and some novelties which operated upon their patriotism, and called forth their efforts in support of their country. All these things considered, it would be obvious there was not now the same facility as formerly in procuring officers for the militia. It was otherwise at the establishment. The difference of circumstances had introduced some novelties into the system. What was here proposed was not to outstep the ancient system, but to provide that the change of circumstances should not produce great inconveniences to that part of the service. The great object was, as the Hon. Gent. and many others had stated, to provide, as much as possible, the militia with officers from the great landed property and gentry of the kingdom; but if that could not be done, if they could not every where be found ready to take upon themselves that service, then that others, who, although not as well qualified in fortune, might be qualified in ability, should take that service. This measure was not intended to exclude the gentry from being officers of the militia; on the contrary, it was much desired that they should come forward in that service, but to provide for the service in case of their absence; for if we could not have officers qualified in fortune, in the way which was most desirable, we must take care that the militia service should not be left without officers. It was upon that principle he approved of the clause now before the committee, and it was upon that principle his Rt. Hon. Friend proposed it.

Lord FOLKSTONE observed, though several Hon. Gent. had said on a former occasion, that the present period was not calculated to be too nice as to the qualification of persons to fill the vacancies alluded to, yet he thought gentlemen of landed property would not associate with unqualified persons, notwithstanding the exigency of the moment, to complete the militia of the country; he therefore could not, with any satisfaction to himself, agree to the clause.

Colonel MITFORD also repeated his former observations on the clause.

The CHANCELLOR of the EXCHEQUER said a few words in answer to the last Hon. Gent.

Several other Members expressed various opinions on the clause in debate, which was at length carried, leaving out the words which were imperative on the Lord Lieutenant to fill up the vacancies in the manner prescribed.

HOUSE OF COMMONS.

Wednesday, March 23. *(See Minutes, p. 509.)*

[ROMAN CATHOLICS.]—The MASTER of the ROLLS said, the object of the motion of which he had given notice, and which he now rose to make, was merely to remedy an inconvenience which resulted to the Roman Catholics from the provisions of two acts of Parliament. The inconvenience was simply this: that the Roman Catholics were obliged to take two separate oaths, whereas one would be completely sufficient. There had been, during his Majesty's reign, two acts of Parliament passed in favour of the Roman Catholics. The first was the 18th of the King, brought in by Sir George Saville; the other, the 31st of the King, brought in by the present Chancellor of Ireland. The object of the former was to relieve the Roman Catholics from the penalties and incapacities imposed by the 11th and 12th of William III. The second bill was to remove the penalties, &c. imposed since the 11th and 12th of William III. Neither of those acts entirely repealed the laws to which they referred—they were entirely conditional in their operation; they extended only to such Roman Catholics as gave assurance of their fidelity, and disclaimed such principles as were inconsistent with the safety of the state. An oath, containing such disclaimer, was introduced into each of the acts. If the oath in the second act had been precisely the same as that contained in the former one, the inconveniences which he now proposed to remedy would never have arisen; for, by taking the second oath, the person would have complied with the provisions of both the statutes; but when the second act was brought in, it was thought necessary to make some alterations in the wording of the oath, in form, but not in substance. The fact, however, was, that a Roman Catholic, to entitle himself to the benefit of both the statutes, was under the necessity of taking both the oaths. For, if he only took the oath prescribed in the second statute (which was more perfect than the one contain-

ed in the first statute), he still remained liable to all the penalties, &c. imposed by the 11th and 12th of William III. Now it happened, that a great number of Catholics had only taken the last oath, thinking that there was but one Catholic test, and that that was the one imposed by the last statute. They supposed that they were not under the necessity of taking the first oath, which in substance is included in the second one. Instances had occurred, where, when their titles to estates came to be examined, they had been found defective merely from the inadvertency of not taking the first oath. There appeared to him to be no conceivable reason why both the oaths should be retained, because the state derived no additional security from retaining the first oath. The second oath differed from the first, in an omission, the nature of which he should state. The first contained a renunciation of allegiance to the person assuming the title of Charles III. he being alive when that act passed; but it was omitted in the second act, because he was then dead. This was the only omission in the second oath, which, with that exception and some small additions, was the same as the former one. Now, it was rather singular, after a man had taken the more perfect oath, to call upon him to take one that was less perfect. A Catholic who had taken the last oath, could have no objection to take the former one, and therefore, if he did not take it, it could only arise from ignorance or inadvertence. It was therefore perfectly useless and inconvenient to retain it; besides, it led to a degree of incongruity in the law, which ought not to exist. Upon these grounds he should move for leave to bring in a bill to extend to Roman Catholics the benefit of both statutes, upon their taking the oath contained in the first.

This being a motion respecting religion, it was referred to a committee of the whole House.

[MILITIA OFFICERS' BILL.]—Mr. WINDHAM said, he had taken a very comprehensive view of the measure now about to be adopted by the bill before the House; upon the whole he did not mean to object to it, yet he thought it necessary to state how far he approved of the bill, and the clause relative to the admission of half-pay officers into the militia. It was nothing but the exigence of the moment warranted the present measure: he therefore should make a few remarks on the militia, as to its first constitution and present establishment. As the militia was first constituted, it was the armed force of the country, and contained those regulations which must be approved of by every man who took the trouble to compare it with the established militia of the present day. Within these few years it had been torn to pieces by many new laws, and its members embodied into the regular service. Such measures had done much to destroy the importance of this constitutional body. The militia, for these few years past, had been carried to a great and improper extent, and nothing but the exigence of the moment could justify the alteration which had taken place in the militia of the country, and which, in his mind, had reduced its importance. He thought it would be of advantage to the country if the regular army assimilated with the militia, and that those who came into the service, should enlist for the term of six years. The Hon. Gent. then repeated many of the observations on the army, he had made on a former occasion. It was a doctrine laid down the other day, that no opposition should be given to this bill, unless Gent. who opposed it, should suggest some plan that would answer the purpose of the country better than what the present bill had offered; but he did not think this doctrine good, as a man may be able to discover defects in a picture without being an artist, or be able to judge of a poem, without being a poet; and therefore he thought the opposition any Gent. might be inclined to give to the bill, was not improper. The militia, as it was now constituted, went a great way to destroy the regular army, for it was a known fact, that the militia officers were now giving nine guineas per man, consequently they could not suppose that men would enter into the regular service. He said, he would acknowledge with candour, that he had conversed with many military men, some of whom were advocates for the augmentation of the militia; others, indeed, did not support the principle.—He could not but again object to the militia as it was now established; for every Gent. in the House must own, it was not like the militia that was originally constituted, It has long appeared like the regular service, without its perfections. The Hon. Gent. then said, there ought to be no distinction between the gentlemen qualified for the militia, and those unqualified officers whose character and talents should be approved of by the Lord Lieutenant. The army abounds with gentlemen of the highest honour and talents, and therefore the want of property should not render their situation and duty unpleasant to them; but, at the same time, every care ought to be taken to prevent improper persons from being admitted to join the militia.

The SECRETARY at WAR said, he did not think it necessary to follow the Hon. Gent. through all his remarks, but he must repeat the observation he had before made on the clause alluded to by the Hon. Gent. If this was a moment of exigency, a strong and well-constituted militia was necessary, as the Hon. Gent. had allowed. He was sure the clause in question would not be considered as improper: as the vacancies might not be filled with qualified men in time, therefore it was necessary the Lord Lieutenant should have a power, which this clause grants to him, to complete the numbers as early as possible. The alteration

which the Hon. Gent. wished in the militia law, so as to enable the militia to enlist men for the term of six years, could not be carried into execution on account of colonial service. There was a material difference between the arrangements of our military force, and that on the continent; therefore the principle the Hon. Gent. had suggested could not be carried into effect. He said it was his intention to move a proviso to the clause, that if the Lord Lieutenant could not fill the vacancies with qualified men within two months, half-pay officers should not be advanced to a higher rank in the militia than a captain; this, he said, would satisfy the Gentlemen who had opposed the clause in question.

HOUSE OF COMMONS.

Friday, Mar. 25.—(See Minutes, p. 509.)

[JAMES TROTTER.]—Lord EUSTON presented a petition from James Trotter, who had surrendered himself a few days ago, on a charge of not having attended as a witness on the Dunfermline committee, he having been summoned for that purpose. The petition expressed his contrition for the offence he had committed, and prayed the indulgence of the House.—Lord Euston then moved, "That he "be brought to the bar of the House on Mon-"day, and discharged."—On the question being put,

Mr. TIERNEY rose, and said it was the duty of the House to punish the offence this man stood charged with: it had been stated that this person had wilfully secreted himself, in order to perplex the business of the committee, and injure the Member, for whom his evidence would have been of considerable service. He could not help expressing his utmost detestation of this offence, which he considered of the very worst kind, and, if possible, exceeded in wickedness the crime of perjury, as his evidence might be very material to the support of the case; therefore there was no calculating how far a Member might be injured by this vile offence. On these grounds, he should move that James Trotter be committed to Newgate for six months.

The SPEAKER said, it was necessary that the Hon. Gent. should only negative that part of the motion which expresses the discharge of James Trotter, and that when he was brought up on Monday, the Hon. Gent. might then make his motion.

Mr. STRANGE said, he thought that a severe punishment should not be inflicted on any person from the bare report of an unsuccessful Member.

The SPEAKER mentioned a case, which he thought had a near application to the one before the House. He then read it, but it was considered as not sufficiently close to govern the question.

The CHANCELLOR of the EXCHEQUER said, he thought it would be better to postpone any further steps, till the House was better prepared to discuss the merits of the question.

Lord HAWKESBURY said, he thought some reason ought to be stated before the Hon. Gent. (Mr. Tierney) could bring forward this motion.

The ATTORNEY GENERAL said, it was his wish that the House would agree to postpone the discussion of this question to a future period, in order to guard against inroads on the privileges of the House.

Mr. BRAGGE thought it would be better to withdraw the motion; then time would be given to consider the case.

Mr. TIERNEY read a case, which, he said, he thought went to support his motion.

Mr. SHERIDAN said, he could not but express his surprise that the Hon. Gent. (Mr. Tierney) should have said that Trotter, the prisoner, had been convicted of his offence. This, he observed, could not be the case; the man had not been heard in his defence, and therefore could not be convicted. And now he must be permitted to say, the prisoner could only be heard in palliation of his offence, and not in justification, as he had acknowledged his crime.

The question was then put, that James Trotter should be brought to the bar on Monday next. (The words, "and discharged," were left out.)—Ordered.

HOUSE OF LORDS.

Monday, Mar. 28.—(See Minutes, p. 510.)

[IRISH CHALKING BILL.]—Lord ELLENBOROUGH called to the recollection of the House generally, what had transpired relative to the Irish chalking bill, the further consideration of which was, by their Lordships' order, deferred till after the ensuing recess. He then held a bill in his hand, which he was about to submit to the consideration of the House: this (so we understood his Lordship) would tend, in a great degree, to render the measure he alluded to unnecessary. It would go, to a certain extent, to assimilate and render uniform some very important parts of the criminal code of the United Kingdom; and also to introduce some amendments to certain parts of the existing criminal laws, which were universally allowed to be greatly wanting. The Noble and Learned Lord took up

that part of his subject first which was more particularly connected with the measure, the discussions on which seemed to give rise to the present bill, namely, the Irish chalking act. The apparent inaccuracies in that bill were done away in the relevant parts of the bill he was about to propose; the spirit of its provisions was consolidated, and given in a more correct and technical form. He then adverted to the provisions of the Coventry act, to render which effectual, it was necessary that a "lying in wait" should be proved; and he also noticed the existing legal distinctions in this country between assaults with intent to rob, and those made with intent to murder, the latter of which, it appeared at present, amounted only to a misdemeanour: there were provisions in the bill to amend those parts of the existing law, and to render both offences a felony. With a reference to the provisions of the Coventry act, &c. the bill went generally to enact maiming, wounding, disfiguring, &c. any of his Majesty's subjects in any part of the body, a capital felony. The bill which he now proposed took into its purview other parts of the criminal code, where amendment was held to be highly necessary. His Lordship proceeded to state the leading provisions; particularly that which renders the administering any medicine, drug, &c. to procure the abortion of a child, a capital offence. The bill went also to provide some amendments in the existing laws, as relative to child-murder. In effecting these, it was necessary, in some degree, to repeal the statute of James I. a satisfactory application of which had in many instances been found difficult by the Judges. In this view of the act referred to, his Lordship seemed particularly to allude to that part of the statute, which makes the fact of hiding the body evidence against the mother; but this act, in the proposed bill, was afterwards in spirit re-enacted, but with the qualifying provision, that there should be probable evidence of the child's being born alive. The bill contained provisions for amending, to a certain extent, the laws relative to the heinous offence of *arson*, which his Lordship generally laid down; and, on this part of his subject, finally observed, that, as the law stood, to burn one's house with intent to defraud the underwriters, was only a misdemeanour, but which, we understood the Learned Lord, was, by the present bill, proposed to be made a capital offence. There were other legislative provisions enacted in the bill, under the general principle he had stated in the outset of his address, tending to render certain parts of the criminal code of both parts of the United Kingdom regular and uniform, and amending particular parts of the existing criminal law; such as extending the operations of the black act to Ireland, &c. His Lordship concluded by observing, that the bill he now submitted would, in a great degree, supersede the necessity of that which he had occasion at first to allude to. He would propose, in the first instance, that the bill should be now read a first time; after which it would lie over for further consideration. Having moved accordingly,

Lord Auckland observed, that the House and the country were undoubtedly under an high obligation to the Noble and Learned Lord, for coming forward so laudably as he had done. There was no person in the kingdom fitter, perhaps not one so fit, for the task he had undertaken; and he doubted not but the bill would prove a considerable emendation of the criminal law of the United Kingdom. Whilst he was on his legs, he wished to make one further observation: with respect to what he had said when a part of the present subject was under discussion, he was misunderstood, when he was conceived to say, that the criminal laws of Great Britain and Ireland, generally speaking, should be assimilated. He certainly could mean no such thing; as it was well known, not only to himself, but to several Peers present, that there existed such a difference between the habits, manners, &c. of certain classes of the inhabitants of both countries, as to render different legislative regulations indispensably necessary. He approved of the course suggested to be taken by the Noble and Learned Lord respecting the bill he had brought in, and also with regard to its effects with respect to the other bill alluded to.

The bill was then read a first time, and, as we could collect, ordered to be printed.

HOUSE OF COMMONS.

Monday, Mar. 28.—(See Minutes, p. 510.)

[James Trotter.]—On the motion of Lord Euston, the order of the day was read for bringing James Trotter to the bar of the House, who had wilfully absented himself from the committee appointed to try the merits of the Dunfermline election.

The Speaker said, before he put the question, he thought it his duty to inform the House, that the prisoner was to be brought to the bar of the House by the Serjeant at Arms, who is to stand there with the mace, and that no Gent. could put any question to the prisoner, but through the medium of the Chair. It was therefore necessary for those Gent. who had any intention to question the prisoner, to furnish him with the questions they wished to be put to him, as he did not mean to put any question to him on his own account, having no authority to do so.

The Chancellor of the Exchequer said, that the Hon. Gent. (Mr. Tierney) should state

the points on which he meant to rest his motion; at present there was not sufficient before the House to warrant a punishment equal to that which was moved for on a former evening.

Mr. Tierney said, he had no intention to put any question to the prisoner through the medium of the Chair; all he meant to propose was, that James Trotter may be heard in his defence.

The Speaker then addressed the prisoner: "James Trotter, a select committee of this House, appointed to try the merits of the Dunfermline election, have reported that you were summoned by the Speaker's warrant to attend the said committee, and afterwards by an order from the committee, both which you have wilfully neglected to obey. What have you got to say in your defence?"

His defence was ordered to be taken down in writing; it was accordingly done, and read by the clerk, which is as follows: "That he was not at home for ten days previous to the time the first summons was left with his family, and when a second notice was left at his house, his wife did not inform him of it; he therefore left his dwelling, ignorant of his having been served with a second summons; and he added, that he was extremely sorry for the offence he had committed, and would have come up to London at his own expense, if he had known the dangerous consequences in not attending to the summons."

The prisoner was then taken from the bar by order of the Speaker.

Lord Euston said, he understood it was the custom of the House, for any person placed in the situation of the prisoner, to be called to the bar on the motion of a Member, to receive a severe reprimand for his offence, and then discharged on paying his fees.

The Speaker said, the question now before the House was, whether James Trotter should be discharged on paying his fees.

Mr. Tierney said, he could not help observing, that the punishment Trotter had already received was by no means adequate to the offence. There was a similar case on the records of the House, which stated that Alexander Morris, in the year 1796, had wilfully neglected to attend a committee agreeably to the summons he received for that purpose; in consequence of which he was taken into custody and brought to the bar, and the House committed him to Newgate for the offence. He could not but think this a case in point. James Trotter had evidently concealed himself from the committee; for if Gent. would observe, the Speaker's warrant was dated on the 2d of February, the Chairman of the committee's warrant on the 10th of the same month, and the prisoner never made his appearance till the 21st of March. It was his wish that the minutes should be laid before the House, and then Gent. would better judge of the conduct of the prisoner.

Mr. W. Dundas said, he could not agree with the desire of the Hon. Gent. in having the minutes of the committee laid before the House, as it was contrary to custom, and would operate as a bad precedent.

The Speaker said there was nothing improper in reading the minutes mentioned by the Hon. Member.

Mr. Bragge observed, that the introduction of the minutes would be highly improper, and that extracts from the evidence given before the committee had nothing to do with the present question. The prisoner was placed before the House as a person guilty of an offence, and therefore there was not any reason again to prove his guilt; that had already been done.

Mr. Tierney said, he surely ought to be allowed to read the minutes as a part of his speech. It was his wish that the minutes should be read, in order to form a proper judgment of the case now before the House. He found great difficulty in his present situation to please several Hon. Gent. as to his manner of addressing the House on this question. He again reverted to the case of Alexander Morris, which he considered a case in point; and the punishment the House had inflicted on him, as an example to others, evinced much wisdom. That this man now before the House had wilfully neglected to attend the committee, was beyond all doubt: he heard what he was about to say from good authority, that a witness for Sir John Henderson was ready to prove, that the prisoner was offered 500*l.* to keep out of the way. This offence was too gross to pass unpunished; he therefore should move, "That James Trotter be sent to Newgate "for six months."

Mr. Sheridan said, it did not appear to him necessary to offer any additional proofs of the prisoner's guilt: he had acknowledged his fault, and very candidly told the House, that he should have obeyed the summons had he known the bad consequences which would attend his improper conduct; this, he said, was the common language of persons who have been made sensible of the offence they have committed. It was now necessary to inflict some punishment on the prisoner as an example to others.

The Lord Advocate of Scotland said, it was his wish that the House should act with moderation; and, on a cool consideration of the case, he had no doubt but the House

would treat the prisoner with lenity, notwithstanding the Hon. Gent. opposite to him had painted the prisoner's conduct in the blackest colours. He was ready to acknowledge that the prisoner had done wrong, and he was glad to see that the House was determined to punish persons guilty of any offence that went to injure any of its Members. But before punishment was inflicted, it was proper to be master of the case: he said, the Speaker's warrant was dated on the 2d of February, and the prisoner received it on the 7th of the same month; and, by the purport of the warrant, he was ordered to make his appearance on the following day, the 8th, at the House of Commons, a distance of 400 miles. It was unnecessary to make an excuse for his not being in London at the time mentioned in the warrant, as the distance was beyond human power to accomplish. The poor man, who knew nothing of the nature of a Speaker's warrant, thought, as he could be in London in a short time, it was of no consequence, consequently left his house on business, which has occasioned him to incur the displeasure of the House. The case which had been mentioned by the Hon. Gent. was a very different one: Alexander Morris was acquainted with the nature of the offence, and it was clearly proved that he wilfully neglected to attend the committee, for which offence he was very properly sent to Newgate. But this poor man resides in a part of the country where he had no opportunity of learning the nature of the warrant, as being of retired habits, he did not suppose it of any consequence, particularly when he found it impossible to comply with the meaning of its letter in so short a time. He hoped the House would take into consideration the simplicity of the man, his family, and situation in life, as every day's confinement in London would injure him much, as this was a time of year his services were required on his farm. He thought this was a case where indulgence might be granted, as the object before them was a poor, ignorant man, who did not know the meaning of the warrant.

Mr. W. DUNDAS recommended to the House to be merciful rather than severe with the prisoner, who had said in his defence, that he did not know the consequences of not attending to the order of the House: this arose from his ignorance in not being acquainted with the nature of the warrant, and for this offence the Hon. Gent. opposite to him would wish to send the prisoner to Newgate for six months. He could not but think the Hon. Gent. wished to push his principles of justice too far. The poor man had been brought up from his farm, and locked up at the top of this House; yet Shuttleworth, who had been guilty of gross prevarication, was discharged. He thought his offence deserved the most severe castigation; but he found Gent. had now shewn a difference of opinion, and the prisoner, whose ignorance had occasioned his guilt, was to be sent to prison, while a confidant, a false witness, who had insulted the committee by his gross prevarications, had only received a reprimand from the House. This did not accord with his sentiments, and he hoped the House would shew every indulgence in their power to the prisoner.

Lord DUNLOW said, the question before the House is, what punishment ought to be inflicted on a man who had committed such an offence. It was certainly an important question, and deserved much consideration: but under all the circumstances of the present case, he thought a sufficient punishment had been inflicted to prevent a repetition of the offence. The case, he said, was very different with respect to Morris: it was clearly proved that he knew the nature of his offence, and therefore he added insult to the dignity of the House, by setting its order and laws at defiance. But he thought the case of a Mr. Sirick applied more than the one mentioned by Mr. Tierney, where a contested election had been determined by a committee, without the evidence of Sirick, who had kept out of the way, consequently one of the petitioners was precluded from having the benefit of his evidence: this case he thought similar to the one before the House, and the records would shew that Sirick was not sent to Newgate for the offence, but kept in custody a short time, then censured, and discharged.

Mr. FOX said, he was astonished that any Member in that House would sanction the motion made by the Noble Lord, as it was necessary to punish offenders of this description, for the support of election laws, and the dignity of the House. The crime of perjury was not worse than the offence now the subject of debate, and Gent. might beg the indulgence of the House to be granted to offenders, and say that there is no precedent for the motion: he would ask if the House of Commons could not punish the offence now complained of? The prisoner had said, he knew no dangerous consequences that would follow his conduct, but he ought to know, for the example of others; and unless it is severely punished, a party may in future send witnesses at any time out of the way, till the business of a contested election is over, and be able to calculate the exact expense of keeping the witness in confinement; and a person, careless as to the light punishment that will accompany his crime, in the course of a week or two be able to return to his friends, with an ample compensation for being locked up in the House of Commons. It appeared upon the face of the report, that the infamous conduct of the prisoner is beyond all doubt, whether the minutes are read or not; and he believed that the subpœna of that House were similar to the subpœnas of the courts of law, and therefore some heavy pe-

nalty ought to attend those persons who neglect to obey them.

The CHANCELLOR of the EXCHEQUER said, he confessed that he felt considerable anxiety upon this subject. He certainly was not disposed to proceed with any degree of severity or rigour beyond what the occasion called for; but he also felt the necessity of preserving the authority of the House; and he also felt what was due to a committee such as the present; and when the chairman of the committee recommended a proceeding, it certainly came with great weight. If any doubt was entertained with regard to the punishment to be inflicted upon this man, the leaning of his mind would be to adopt the opinion of those who had ample means of judging upon the subject. But as the House might have the same means of judging, all he asked was, that Gent. would suspend their opinion till they were in possession of all the materials upon which they might form their judgment. He confessed, that when this subject was first brought forward, he was astonished that a proposition of this kind had not been made. If he could not have access to such materials, he should certainly accede to the proposition made by the chairman of the committee; but he could not shut his eyes to the proceedings of that House in cases which appeared to him to be similar to the present. In the case of Alex. Morris he was committed to Newgate, but there was certainly some degree of difference between that case and the present; he had not acknowledged his offence, besides, he was residing in this town, and had not undergone the degree of punishment which has been already inflicted upon the prisoner in the present instance. But though these considerations might operate upon the compassion of the House, it should be recollected that they would not appear upon the Journals of the House, and therefore could not operate in point of example in future times. With regard to the case of Sirick, it undoubtedly was not in point; he pleaded ignorance of the crime, the present prisoner pleaded ignorance of the consequences. He at present only wished to ask the House to pause before they inflicted their judgment. He should therefore propose to get rid of the present motion, either by proceeding to the orders of the day, by negativing it, or, what would be much more agreeable to him, by the Noble Lord's consenting to withdraw it. If the Noble Lord should consent to withdraw it, he would be aware that he would be at liberty to bring it forward, if he thought proper, on another occasion.

Mr. ROSE said, he was of opinion that this question could be as well decided by the House as by the committee. He wished to observe, that he knew nothing of this case but what he had heard in that House. He had always understood it to be a fundamental rule of justice, that a person should not benefit by keeping witnesses out of the way. It had been stated, that perjury was a greater crime than the one for which this man was now to be punished; undoubtedly, morally speaking, it was a more enormous offence than that of a witness wilfully absenting himself. But he believed that it very seldom happened that a man either served himself or his party by perjury, because, when he came into court, it was almost always possible either to extract the truth, or else to detect him in his falsehood; but it was impossible to foresee or to guard against the consequences of a witness being kept out of the way. It had been stated by a Noble Lord (Dunlow), that there was a case in point in which the person had been dismissed with a reprimand; but if this man was dismissed with such a punishment, and with an expense, perhaps, of 50*l.* it would really be an encouragement to others to commit the same offence. He was therefore of opinion, that calling this man to the bar, and reprimanding him, would by no means be a sufficient punishment. It had been urged in the course of the debate, that the courts of law were armed with powers to punish witnesses who did not attend; but he had long thought it a great defect in our laws, that the courts of law had not powers sufficient for that purpose. He had had opportunities, as a grand juryman, of seeing, that if a witness, whose name was on the back of the bill, did not attend, the only punishment was, that he forfeited his recognizance; therefore, if a person was rash enough to keep a witness out of the way, the ends of justice might be defeated. This was not an opinion now taken up for the first time; he did not wish to punish this man more than was necessary to deter others from committing similar offences, but he really thought a reprimand at the bar would not be sufficient.

Mr. GEO. VANSITTART said, the recommendation of the committee was resolved upon, before this man had been heard in his defence; but that defence was so inconsistent and evasive, that there would be an end of the authority of that House if he did not undergo a further punishment.

Lord EUSTON said, he had not stated that he made the motion at the desire of the committee; he distinctly stated that he had communicated with several Members of Parliament upon the subject.

Mr. T. GRENVILLE said, he hoped the Noble Lord would not press the motion, but that he would adopt the advice given by the Rt. Hon. the Chancellor of the Exchequer, and thereby relieve the House from the difficulty in which it was now placed. He was firmly convinced, that if the present motion

was adopted, all hope of purity of election would be at an end. But that was not all; he was afraid of putting this motion upon the Journals, because then it would appear to posterity, that in a most serious case, like the present, the first question which the House considered, was merely whether the offender should be reprimanded, and then it would be urged as a precedent in all cases of a similar nature. The case had been so fully discussed, that he would not occupy the time of the House by making any further observations upon it. If any Gent. felt any doubt upon the subject, and required any further information, there could be no objection to the minutes of the committee being laid before the House.

Lord EUSTON said, as the House seemed to be of opinion that his motion ought to be withdrawn, he had no objection to withdraw it.

When the SPEAKER put the question for withdrawing the motion, several Members objected to it, and the discussion therefore proceeded.

The CHANCELLOR of the EXCHEQUER said, that the Noble Lord had relieved his mind from one great difficulty, by stating that he was not instructed by the committee to make the motion which he had made to the House.

The motion was then put and negatived without a division.

The CHANCELLOR of the EXCHEQUER then moved, that so much of the minutes of the said committee as related to the summoning of James Trotter to appear as a witness, be laid before that House.

Mr. TIERNEY said, he did not think that motion went far enough; he thought if they were to call for the minutes of the evidence, they ought to have all the evidence that related to the prisoner, in order to know whether he was or was not an important witness; because if they merely wanted to know that he had been summoned and did not attend, the House was already in possession of that fact by the report of the committee.

The Hon. R. DUNDAS said, that if the Hon. Gent.'s proposition was acceded to, he thought the whole of the evidence ought to be laid before the House, so that they might judge as well upon the evidence which was given on the one side as the other.

Mr. TIERNEY, in explanation, said, that nothing could be further from his intention than to call for the whole evidence that was given before the committee, or to go at all into the merits of the decision of the committee, which he was convinced was perfectly proper; he only wished for so much of the evidence as related to the conduct of Mr. Trotter.

The CHANCELLOR of the EXCHEQUER said, that if the proposition of the Hon. Gent. who spoke last but one was agreed to, it would tend to destroy all the advantages that resulted from the Grenville act, and would lead the House to try over again the whole of the case which had been decided by the committee. He was disposed to accede to the proposition made by the Hon. Gent. (Mr. Tierney), excluding, however, all idea of going any further, or of referring to any thing but that which immediately concerned the prisoner: with this exception, he had no objection to the production of the further information which the Hon. Gent. required.

Mr. TIERNEY then proposed to amend the motion of the Chancellor of the Exchequer, by calling for such parts of the minutes of the evidence of the said committee, as related to the said James Trotter.

The motion being put on the amendment,

The LORD ADVOCATE of SCOTLAND rose to oppose the motion: he contended, that the House could not have punished this person in the manner now proposed, unless he had admitted the fact at the bar of that House. The question was not now, whether this man should be punished for disobeying the order of that House; but the object of the present proceeding would be to punish him for an offence with which he was not charged by the committee. It had been said that this man had offered a bribe; but was that a crime of which he was accused? And it would be contrary to every principle of justice to go into the examination of a crime with which the man had never been accused, and against which he had never been heard in his defence. If the committee had entertained any suspicions of the kind that had now been thrown out, they would have asked leave to adjourn their proceedings till the man could have been found and examined. Suppose it should be stated in the minutes of the evidence, that this man did offer a bribe, would he be permitted to enter into his defence? And it certainly would be unjust to punish him without hearing what he had to say in his defence. On the other hand, it would be irregular to enter into an examination of the whole case, and to examine witnesses to ascertain his innocence: upon the whole, therefore, he was of opinion that the proceeding now proposed could not be listened to for a moment.

Lord GLENBERVIE said, he was decidedly of opinion, that before the House proceeded to pass any sentence upon the prisoner, they ought to be in possession not only of the fact

of his contempt of the order of the House, but they ought also to know the degree of guilt that was imputable to him. In calling for this further information, there was certainly no kind of imputation upon the committee, because, in apportioning the degree of punishment, it would be necessary to ascertain the different shades and degrees of guilt. This was analogous to the proceedings in courts of law in cases of misdemeanour; after a person was convicted, the judge, when the prisoner was brought up for judgment, read over the whole of the evidence of the case, in order that the court might know whether there was any circumstance of extenuation or of aggravation. He admitted, that it would be proper to have the minutes of the committee laid before the House; and if there were on the face of these minutes any thing which gave a colouring to the conduct of this man, he could not, as a Member of the House, refuse his assent to it. As to the propriety of not bearing this matter in aggravation, he saw no objection to it, for the whole of it was matter of aggravation. Would it not be aggravation, if it should appear that this man was agent to any of the parties, or connected with any of the parties? Most undoubtedly it would be matter of aggravation, and such as the House ought to consider. All that the House knew at present was, that he was here in the custody of the officer of the House, and that his name was James Trotter; that he had been served with the warrant of the Speaker of that House, and that he had disobeyed the injunctions of that warrant; that a committee of the House had reported him to have been wilfully absent, and that he confessed his guilt: that was all the House knew of him, and therefore further information was necessary, in order to the proper understanding of the case; and if that information led to the aggravation of the case, that was not matter to prevent the House from considering it. But although this course appeared to be just, yet he must further observe, that this was not all which justice required to be done, for the House must then hear what the prisoner had to say in his own behalf. That the House had done already on the case as it now stood: of course, if the prisoner was to be charged with something more, he ought to be heard again, for that was no more than a common rule of justice; and this obviated, perhaps, the whole objection which had hitherto been stated against the course which was now proposed. It was true that the prisoner could not call evidence, but he must admit the truth of the case exhibited against him: the House, however, would hear him with indulgence, and give him the full benefit of whatever he could reasonably urge in his own behalf, and the more so, because he could not offer any evidence; but that was a situation, however hard, it must be remembered he had brought upon himself; for had he appeared in time, as it was his duty, he would have avoided all this inconvenience. Upon the ground that the whole of the evidence ought to be laid before the House, in order that it might be fully acquainted with the nature of the case, which at present it was not, he concurred in the motion now before the House.

Mr. Sheridan explained.—He did not allude to the minutes of the committee as matter of aggravation on the general misconduct of the prisoner, but merely as it related to the wilfulness of his absence, after he was served with the Speaker's warrant to attend. He thought, however, that the House could not suffer this person to enter upon oath to contradict what appeared against him before the committee.

The Lord Advocate of Scotland explained and said, that all he contended was, that this was an *ex parte* proceeding, and might possibly affect some persons who ought not to be affected by it: it might in some degree affect the sitting Member, to whose election this matter referred, and that, he apprehended, would not be regular.

The Attorney General said, he could not understand the distinction which some Gent. seemed to take in this case; that they would not receive any thing that went in aggravation of punishment, but they would receive that which would aggravate the colour of guilt. Now, whether a man wilfully absented himself, or was absent from ignorance, was a question of colour to the offence, and to allow evidence of the colour of the offence, was allowing evidence of the aggravation of the offence; and he could not see how any aggravation of guilt could be received in evidence without drawing after it, as a necessary consequence, an aggravation of punishment. Whether the House should think that the prisoner, who had once an opportunity of explaining his conduct by evidence, but which he had lost, either by his own negligence or wilfulness, should now have that opportunity restored to him, was a consideration for the House; perhaps he was not now entitled to any such indulgence, nor was it easy to see how the forms of the House would admit it, supposing such a thing was desirable, which he was not saying it was; this was not the time for discussing that point, but he should think that if the minutes, after they were laid before the House, should call for a larger punishment than the House should be disposed in its justice to inflict upon the present statement of the case, then he should think the matter deserved to be considered; for they should not punish a man for what he did not know the House were going to punish him, but that the House should at least allow the prisoner to give whatever favourable colour

he was able to any thing that was objected to him. That perhaps would be the course which the House would adopt in this case.

The question was then put, "That so much "of the minutes of the evidence given before "the Dunfermline committee as relates to "James Trotter, be laid before this House:" which was ordered.

[Salt.]—General Gascoigne rose for the purpose, he said, of moving, pursuant to notice, for leave to bring in a bill to equalize by weight the bushel of all salt imported into that part of the United Kingdom called Ireland. He entered much at large into the history of the regulation of this article from the statute of the 4th of Anne, c. 14, down to the present moment, and observed that his object was, in point of fact, to lower the duty upon English salt imported into Ireland, by equalizing the duty upon all salt imported into that country. That was the effect of his motion. At present, all salt imported into Ireland bore a certain duty per bushel; but there was, however, an essential difference in the duty on the different sorts of salt imported into Ireland, and that difference arose from the difference of quantity which the bushels contained. The salt which was imported into Ireland from Portugal and Spain, which was commonly called bay salt, contained 84 pounds weight in the bushel; whereas the salt which was imported from this country into Ireland contained no more than 56 pounds weight to the bushel, and yet the duty was the same on both; his object was to make the duties equal in each, and he argued upon the policy of so doing. He said it would lower the price of English salt in Ireland, which was a very great object, and which the people of that country would receive as a great boon. He reminded the Chancellor of the Exchequer of England of his promise to diminish the duty upon salt soon after he came into office, and observed that it was a promise which was received with great joy all over the country here and in Ireland: he maintained it was politic to do so, on account of the importance of this article to various branches of our manufactures and trades in the curing of provisions, &c. and most particularly to the trade of Ireland; and he maintained, that if the object of his motion was carried into effect, the defalcation which it would occasion in the revenue would not be more than 13,000*l.* a year, a sum which the fertility of the mind of the Chancellor of the Exchequer would too easily supply to make this an objection to the motion. He was now only asking, that British salt should not be made to pay more on its being imported into Ireland, than Spanish salt paid; that we should, in this respect, be put on a footing with the most favoured nation. He maintained that bay salt had been considered, ever since the act of Parliament, as white salt, and there should be no distinction in the duty; whereas at present the bushel of bay salt, which contained 84 pounds weight, and which came from Spain, paid no more duty than the British salt, which contained only 56 pounds weight in the bushel; he wished to do away this distinction, by which he said much more British salt would be imported into Ireland than there had been of late; and he complained that this part of our trade, particularly at Liverpool, had greatly fallen off within the last three years. He complained also of the effect of smuggling. He said this measure would lower the price of that article in Ireland, and be of great advantage to the lower classes in that country, for they paid the same duty on that article as the higher classes, and consumed more in proportion to their wants, because they subsisted more on salt provisions than the higher classes. He saw no reason for continuing the present duty on salt imported into Ireland to Spain, as a favour to Spain, for Spain was no ally of ours, and was not unlikely soon to become an enemy, and, in the present state of things, might fitly enough be called our natural enemy. He argued at some length on the propriety of what he was about to propose, on the good effect which he said it would produce to trade, both in England and Ireland, which would be much more than a balance for the defalcation it would create in the revenue. He observed, that when the last duty was laid on, the late Chancellor of the Exchequer had lamented the necessity of it, and had considered it merely as a war tax. He considered the present Chancellor of the Exchequer as pledged in some measure to assent to the motion he proposed, from his former promise, and from every principle of policy, as well as liberality, to the people of Ireland, who laboured under some difficulties which this motion was intended to remove. He then moved, "That "leave be given to bring in a bill to equalize "by weight the bushel of all salt imported "into that part of the United Kingdom called "Ireland."

The Speaker observed, that as this was a matter relating to trade, it was necessary that it should be referred to a committee of the whole House, before any further proceeding could be had on the motion.—The motion being seconded,

It was then moved, that the said motion be referred to a committee of the whole House.

Mr. Corry took a very comprehensive view of the subject; he explained the regulation of the statute of Queen Ann, and the distinction between the bushel under that statute, which contained only the weight of 56 pounds of salt, and that of the Winchester bushel, which contained 84 pounds weight, in the reign of

King Charles the Second; and gave an historical account of the duties upon this article until they were made perpetual, and observed, that there had been no innovation in Ireland upon this subject, but it was imposed there as it was in England. He explained the whole custom in the way of importing this article; and observed, that in Ireland all bay salt was entered as white salt; and it was the same in this country, it paid nevertheless duty only on 84 pounds weight to the bushel. He explained the difference in the disposal of this article between the customs and the excise, and then proceeded to observe, that the Hon. Gent. had stated, that the export of salt from Liverpool to Ireland had of late diminished, and he seemed to wish to diminish the importation of foreign salt into Ireland, for the purpose of increasing the importation of British salt there; that seemed to be the object of the Hon. Gent. by the motion now before the House: it was to discourage the importation of foreign salt, for the purpose of encouraging that of British manufacture, for the demand for the one must increase in proportion to the diminution of the other. Now, upon this subject he must be permitted to observe, that bay salt was not only of a remarkably strong quality, but it was such as was indispensable to the provision trade of Ireland; and therefore, as long as the provision trade of Ireland remained as at this time, the mode now proposed by the Hon. Gent. would not answer the purpose for which he intended it: his object was to increase trade; but the mode proposed would diminish it, because it would diminish the importation of bay salt, and that article was actually necessary in many manufactures, and in the provision trade it was actually indispensable. Bay salt was very different in quality from other salt; it was of a grain much larger, and of a quality much stronger, and less easily dissolved than any other salt: it was therefore peculiarly fit for packing in the provision trade, and excellently adapted for provisions for his Majesty's navy and army: it was superior to any other salt for curing provisions destined to hot climates, and had therefore been employed in the service of this country in every part of the world. It was well known that Ireland depended much on its provision trade, and this was owing in some degree to the quality of the flesh of that country, but still more to the quality of the bay salt they used in curing it; and if that salt was not used, the quality of the cured provisions would be greatly deteriorated, which must soon produce a decay of trade, by which Ireland would lose her pre-eminence in this particular, as well as in some other articles of manufacture, for it would lose its character in the foreign market; but he apprehended he had stated enough, when he said that the provision trade of Ireland was essential to the support of his Majesty's fleets and armies: but that was not all; there were no salt springs in Ireland, nor had they there the means of manufacturing salt. They were indebted to this country for two very material articles, rock salt and coals; and, even if they could manufacture the article, there was much consideration due to the expense which would attend it in Ireland under its disadvantages for freight, commission, and a great many charges on the carriage of coals and other articles which must be brought from this country before they could manufacture rock salt; so that any measure tending (and this measure evidently and avowedly tended) to diminish the importation of bay or foreign salt would certainly be injurious to the trade of Ireland. There had been no complaints between the British and the Irish manufacturers upon this subject; the trade had been carried on without any difficulty in this respect, and such had been the policy of Ireland, that they had always used much foreign salt—they had always been obliged to prefer foreign salt, because, as he had said already, the article of provision required it. Now it might be said, that to lower the price of other salt, would not be injurious to the manufactures of Ireland in general; that was a sentence which sounded well, but it was not too lightly to be assumed; inconveniencies might follow this, although they were not obvious to every one. This might be an inducement to manufacturers to use the cheapest articles in curing their provisions, and in other manufactures, and which would not so well answer the purpose; the provisions would neither so well supply his Majesty's fleets and armies as they formerly did—a very important consideration at all times, and particularly at the present time, when we ought to take care not to expose ourselves to any danger in this respect in particular; nor would the character of the article of provision be long preserved in the foreign market—another very important consideration at any time, and still more so at this time, when Ireland was successfully endeavouring to enlarge its commerce. The Hon. Gent. complained of the diminution of exports from this country to Ireland, and particularly in the article of salt from Liverpool: that might be very true, and he believed it was as far as the Hon. Gent. took notice of it. There might be a diminution in the exportation from Liverpool to Ireland, but the general importation into Ireland had increased, notwithstanding it had for the last two or three years diminished; but that was a very partial way, as he conceived, of viewing the subject. It should be taken on a fair average of six years; and if the Hon. Gent. took that view of it, he would find that this trade had not diminished. It was true, that the quantity of provisions purchased from Ireland for the last two years, had been less than others upon an average of the last six years: this was partly owing to the demands of the war having

ended, and consequently less provision made up in Ireland, and of course less salt imported. Pork in particular, the salt for curing which came from Liverpool, had been much less demanded for the last three years than in former times; and so indeed had all demands of late for the provisions of Ireland into hot climates. As to the rock salt imported into Ireland, it had been nearly the same for some years. British white salt had diminished considerably, and salt in the last year had diminished nearly one third; foreign salt had also diminished in much the same proportion; so that the Hon. Gent.'s apprehension was not well founded, that the importation of foreign salt into Ireland was the cause of the diminution of that of the British. The diminution had been in not making up the same quantity of provisions for which the British salt was wanted. But if the Hon. Gent. would take the average of six years, he would have the consolation to find the importation of salt into Ireland from Liverpool was much increased. Here Mr. Corry went over the different importations for this period, to justify his assertion, and maintained there had been no increase of foreign importation, so as to stop the demand for the British salt; the general demand for the provision trade had fallen off for the present only, but no doubt would again revive. When all these things were considered, Mr. Corry said, the apprehensions of the Hon. Gent. respecting the trade between these two parts of the United Kingdom would cease. When the provision trade of Ireland should open again (as it soon might), all these apprehensions would be dispelled, and then there would be an end to the disadvantage which Ireland at present laboured under by the enormous rate of exchange which was against it, and which would cease or diminish rapidly when funds were duly provided for the payment of its debt. Upon a full consideration of all these things, he was confident that the opulent and respectable people of Liverpool would be much too liberal to complain of the present state of exportation of salt from thence to Ireland, or to desire their representative to persist in the motion now before the House, for that there would be no occasion to come for an act of Parliament upon the subject. Here Mr. Corry explained the schedule which was now before the House on the subject of duties on salt imported into Ireland, and then proceeded to observe, that the trade in this article had been uniformly carried on for a long time, without any complaint on the part of the manufacturers of this country, or of Ireland. He observed, that he had some regulations in contemplation upon this subject, and in which he had no doubt the Hon. Gent. would be able to give him some valuable assistance; but he submitted, whether it would not be more wise or prudent, that no measure should be brought forward at present, but that matters should stand as they are, and that they should be made matter of consideration next year, and then, Mr. Corry said, he should come to the discussion of this important subject, with the Hon. Gent. or any other Hon. Member who should choose to take up the matter. Nothing could give him greater satisfaction than a renewed discussion of duties in Ireland, upon this or any other topic on which he possessed any information, respecting that part of the United Kingdom for which he had the honour to act. With respect to smuggling salt into Ireland, of which the Hon. Member seemed to be so apprehensive, he assured him there was no probability of it whatever, because the attempt offered no profit; there was much more probability of that article being smuggled from Ireland into this country, and that was in reality the case. Upon this subject, as well as others, he should be happy to communicate his ideas to the Hon. Gent. and to consult with him: it was certainly a desirable thing to prevent smuggling of salt from Ireland into this country, a practice much too prevalent. After making an apology to the House for detaining it so long on this subject, he submitted the propriety of not acting hastily on it; for which reason, and without the slightest disrespect to the Hon. Gent. he should now move the order of the day.

Colonel Bagwell said, that nothing affected the people of Ireland so much as the duty on salt; and he understood, that the effect of the Rt. Hon. Gent.'s (Mr. Corry) statement, went to add 10,000*l.* to the duty.

Mr. Corry observed, in explanation, that his object was to reduce the bushel, and, at the same time, to reduce the duty.

Mr. Lee said, that his Rt. Hon. Friend had given up his schedule of Irish duties for this session, in compliance with the wishes of several Gentlemen from Ireland; and he therefore thought it would be very unfair to take detached parts of it at present for the purpose of arguing upon, instead of postponing the consideration of the whole to the ensuing session.

Mr. Wickham said, that his Rt. Hon. Friend (Mr. Corry) had had no intention of proposing an additional duty on salt. He was convinced, that no man would wish to give a preference to foreign salt: the only question was, what was the best means of answering the proposed end? He hoped the Hon. Gent. would not press the measure at present, as he had not made up his mind upon the subject, and must be under the necessity of opposing such a bill at present in every stage of it.

General Gascoigne obtained leave from the House to withdraw his motion.

HOUSE OF LORDS.

Wednesday, Mar. 30.—(See Minutes, p. 511.)

[Clergy non-residence.]—On the question for the second reading of the clergy residence bill being put,

Lord Auckland rose, and shortly put it to the consideration of the Rt. Rev. Prelate near him, whether, for the sake of shortening the term of the leading provision of the bill, from two or three months to one, it would, under all the present circumstances, be expedient to risk the fate of the bill, as such an amendment in a bill of this peculiar description would, with a reference to the constitutional privileges of the other House, in all probability be fatal to it.

The Bishop of St. Asaph rose, and entered into the merits of the subject at some length; he argued that the bill in question, as connected with the general subject which gave rise to it, was one of considerable importance, and as it then presented itself, objectionable in a great degree. The Rev. Prelate detailed the leading provisions, and the effects of the statute of Hen. VIII. from which the clergy, under the present circumstances, he said, were liable to considerable hardships, and these hardships not unfrequently fell on the most conscientious of the clergy: those in a great degree arose from the state of the parsonage-houses in different parishes, many of which were not in a habitable condition. To remedy these, he observed bills were from time to time sent up to their Lordships from the other House of Parliament, and, in some instances he described, at a period of the session when the merits of the question could not be fully discussed. His Lordship enumerated the dates of these bills, and gave a history of their progress through both Houses. He expressed his disapprobation of this mode of proceeding. The statute of Hen. VIII. was one which required much amendment; but he was adverse to its operations being counteracted by perennial bills of suspension. He again lamented that it should so arise that the general subject could not have been adequately discussed; it came before them at periods of the session when the attendance was generally thin; and surely that in question was one of the highest importance. If the residence of the clergy was connected with the practical religion of the country; if the practical religion of the country was connected with its morals; and if the morals of the people were worthy the attention of the Legislature, then, unquestionably, the subject in question was one of the highest importance.—*(A cry of Hear! hear!)*—The subject was one of the most serious nature, and which should be deliberately discussed. His Lordship alluded to the bill in the contemplation of a very learned civilian, a Member of the other House, who had consulted the Rev. Bench on the occasion: this proceeding, he observed, was against his sense: he advised him to bring in the bill on his own ideas, and to trust to parliamentary discussion for the rest. The Rev. Prelates, he observed, were, at least, not all equally well versed in the Statute Book. He thought the statute of Hen. VIII. should be fairly amended; but he had no hesitation in deciding, were he driven to the alternative of either totally abrogating the statute in question, or of suffering it to stand totally unaltered, in favour of the latter. Much had been said about the necessity of such bills originating in the other House. He saw no reason why a bill to the effect to which he had alluded, should not be introduced in that House; and he thought it should be generally known, that the Rev. Prelates were not in favour of the system of going on with such bills as the present from year to year.

The Lord Chancellor also took a view of the subject at some length. He observed, that with a reference to the question regularly before the House, he saw no reason why the bill should not be suffered to go to a committee. He seemed to argue generally in favour of the bill, as, under the existing circumstances of the case, a measure of a desirable nature. He had, in his judicial capacity, while presiding in one of the courts below, opportunities of observing, in many cases, the hardship and unequal operation of some of the provisions of the act of Hen. VIII. His Lordship cited in particular two cases, the one in the Rector of Bow church, one of the most exemplary men in all the various branches of his duty in the clerical profession, against whom, in consequence of his living in Ely Place, Holborn, on account of its being, from peculiar circumstances, impracticable to live in the parsonage-house, he was obliged to direct a jury to find. Another case presented itself, the particulars of which he cited, of a very opposite description, and in which the penal operations of the bill in question were very properly applied. He adverted to these points, to evince not only the great importance, but also the difficulty of coming to a right decision upon the general subject. It was matter of serious and deliberate consideration. His Lordship alluded to the great difficulty which men placed in offices of important, severe, and complicated duties experienced, in maturing great public measures. He adverted particularly to the situation of the Learned Judge alluded to by the Rev. Prelate, who, had leisure and health permitted him to pursue his labours relative to the subject in question, their Lordships would not at this time have any part of it to discuss: the indisposition under which that person then laboured, was in a great degree owing to the very close and unremitted attention which he paid to the subject in question: it was one of more extensive concern than perhaps the House were generally aware of; it involved not only

considerations of justice and policy, but even of humanity. With respect to this point, his Lordship, with a creditable degree of warmth and feeling, alluded to the effect which a general enforcement of residence would have on the fate of the unfortunate and indigent curates; it would go in a great degree to deprive them of the scanty pittance they at present hold. Even from what had already taken place, many curates were turned out of employment; this he had some opportunity of learning in the exercise of his clerical patronage as Chancellor, and of which he stated some distressing instances. With respect to a comprehensive bill, containing adequate provisions for all that was complained of, he seemed to say the session was too far advanced for bringing such a measure to maturity within its period; and he remarked upon the superior wisdom of deliberate and mature decision, in opposition to hasty and premature conclusions; and he also noticed the peculiar calls which the Rev. Bench had generally towards the end of a session in their respective dioceses.

The BISHOP of ST. ASAPH spoke shortly in explanation, and disclaimed any intention of throwing the least imputation on the very Learned Gentleman alluded to, for whom, on the contrary, he had the highest respect.

The EARL of CARLISLE made a few observations, in the course of which he seemed to argue against the principle of bills of suspension, and adverted to the strong claims which curates had to the consideration and humanity of the Legislature.

Lord AUCKLAND also made some observations, chiefly in reference to the general subject, respecting which he appeared of his Noble and Learned Friend's opinion, that the present session would not afford sufficient time for the full and adequate discussion of the measure, so generally allowed to be necessary. He proceeded to describe some general regulations which could, in such a measure, be introduced with good effect; and concluded by observing, that a full attendance of the Rev. Bench would be peculiarly necessary on such an occasion.

The LORD CHANCELLOR, in allusion to the point last adverted to by the Noble Lord, said, that the Rev. Prelates had pleas for absenting themselves towards the close of a session, which perhaps temporal Peers, generally speaking, had not, namely, the exercise of their pastoral duties; and he lamented the thin attendance which took place of the temporal Peers towards the close of a session, a period when, from unavoidable circumstances, a great proportion of legislative business was transacted.

The bill was then read a second time, and committed for next day.

HOUSE OF COMMONS.

Wednesday, March 30. *(See Minutes, p. 511.)*

[GRENADA LOAN.]—The order of the day was read for the House to resolve itself into a committee of the whole House on the Grenada loan bill.

Sir ROBERT BUXTON said he could not but express the sentiments he had done on a former occasion, with respect to the bill now brought into Parliament, and he should give his decided disapprobation to that measure, which went to misapply the public money. Many inconveniencies and losses would still arise to Government if they continued their support to that part of the West India trade.

Mr. HOBHOUSE said he could not agree with the last Hon. Gent.; he was certain that no loss had been sustained by Government: the plain facts were, that 1,400,000*l.* had been advanced for the support of this trade, and that this sum had been reduced to 500,000*l.*; that being the case, every Member in the House must see, that notwithstanding war and other unpleasant circumstances, which had prevented the progress of trade in the West Indies, yet that mercantile establishment was in a fair way of being a benefit to Government. The West India islands produced upwards of 30,000 hogsheads of sugar and other valuable articles; therefore Government had the best security for the money they advanced. The whole of the West India debt had not been contracted more than six years, and with the assistance now about to be given by the House, there was no doubt of the prosperity that would attend this West Indian mercantile establishment. Under these circumstances he should give his approbation to the measure.

Mr. JOHNSTONE said he could not agree with the last Hon. Gent.: he knew perfectly well the great difference between the monied interest and landed interest of the country. It was no uncommon thing for persons connected with trade, to come into that House on all occasions and support Government, and therefore the mercantile part of the country would see their interest to support the present question. The Hon. Gent had made a mistake as to the time the Grenada debt was contracted; it was now upwards of eight years instead of six. He would now call to the recollection of the House the promise that was made to Parliament on the former application for money, that it should then be the last they would ask of the House to grant: but he was sorry to say the Gentlemen had not kept their word, and the indulgence then granted for the sup-

port of this unprofitable trade has turned out not sufficient. He was of a different opinion with the last Hon. Gent. as to the security Government were in possession of for their money; it appeared to him by no means good, and if this money now applied for is granted by the House, he would ask, what better security we should get for this loan than we before had? 500,000*l.* were now owing, and there was but a chance of its being paid for a long time to come. He thought the whole system to be highly improper in lending public money in such a concern. When the West India market was overstocked, we were called upon to make good their losses. This was an indulgence allowed to the West India trade which was allowed to no other; he therefore thought it ought not to be supported.

Mr. Wm. Dundas said he wished to submit a few observations in reply to what had fallen from the Hon. Gent. who had just sat down. The Hon. Gent. had argued very much at length upon the abstract question of, whether Government ought, or ought not, to advance the public money to support the mercantile interests of the country. But if the Hon. Gent. had such an objection to Government giving such assistance to the mercantile interest, how happened it that he had not stated his objections upon former occasions, when Government had adopted a similar conduct to the merchants of Liverpool, and to other merchants of this country? The fact was, that Parliament granted this aid to the merchants and planters of St. Vincent and Grenada, in 1795, when these islands were desolated by an event which human prudence could neither foresee nor prevent, viz. an insurrection of the blacks. The sum then advanced was 1,400,000*l.*; of that sum all had been paid off, except about 560,000*l.* and the interest had been regularly paid the whole time. It had been suggested, that more was paid in bounties on the re-exportation of the produce of those islands, than was received by the customs on their importation. Admitting this for a moment to be true, was there no advantage to the shipping interest of this country in carrying on the trade with those islands? or did the Hon. Gent. mean to say that those islands might as well be in the hands of France as of any other country? If of late the commodities of the West Indies had fallen in price, would it be consistent with generosity, wisdom, or policy, to press for the immediate payment of a debt, so large a part of which had been already discharged, the interest of which was so regularly paid, and for the whole of which the public had such ample security?

Mr. Rose said that the Rt. Hon. Gent. had in a great degree anticipated what he meant to have offered. The Hon. Gent. who spoke last but one, seemed to think that a greater degree of favour was shewn to the West India trade than to others; he was not aware upon what ground the Hon. Gent. made that assertion. The relief which Parliament had granted to the merchants of Grenada and St. Vincent, they had granted upon other occasions to other persons; and though the Hon. Gent. seemed to think that Government ought not to lend the public money to support the mercantile interest, he begged leave to observe that if it had not been for the assistance afforded by Government some years ago to the manufacturing interest, the consequences might have been such as he was almost afraid to consider. But when the Hon. Gent. talked of considerable favour being shewn to the West India trade, did he consider of what importance that trade was to this country? Did he know that it employed nearly one third of our shipping? did he consider what a nursery it was for our seamen? or did he reflect upon the various advantages this country derived from that trade? At the commencement of the last century, Government had granted relief to some of the West India islands; but the mode in which that relief was granted, appeared to him to be neither so efficacious nor so economical as the relief which had been granted by Government on the present occasion. Under these circumstances, he should certainly give his vote for the Speaker leaving the chair.

HOUSE OF LORDS.

Thursday, Mar. 31.—(See Minutes, p. 667.)

[Militia officers' bill.]—The order of the day being read for the second reading of the militia officers' bill,

Lord Hobart moved, "That the bill be "now read a second time."

The Earl of Carnarvon rose to oppose the proceeding; he delivered his sentiments at some length, which were decidedly against the leading provisions of the bill; his hostility to the measure, he observed, was founded in constitutional principles. The bill, which went to authorize the service of officers not duly qualified, would, when superadded to the other measures adopted by Government of late years with respect to the militia, grind down that constitutional force to a very standing army. He was aware of the necessity of Great Britain, especially in periods like the present, having a large disposable force: however, at the same time, one constituted on the original principles of the militia was admirably well calculated for defensive service. The conduct of Government latterly was such as went to disgust the respectable qualified officers, and would tend greatly to disincline them from serving in the militia. Pursuing this line of observation for some time, and in strong terms, the Noble Earl observed, that

were the bill passed in its present shape, he would never again come forward in the discussion of the subject; so degraded did he consider the militia by such a proposition. At the present moment he urged the propriety of allowing farther time for the consideration of the subject; and in that view he moved, in the way of an amendment, that the word 'now' be left out of the motion, "that this "bill be now read a second time."

Lord HOBART expressed himself perfectly aware of the importance of the measure, and his inclination to concur in the motion just made, did he entertain any hope of being able to induce the Noble Earl to agree to provisions which he thought wise and necessary. The Noble Secretary then proceeded to defend the provisions of the bill, which he thought, in sound argument and fact, not at all liable to the objections so warmly urged by the Noble Earl; a discretionary power was vested in the Lord Lieutenants, who, in cases of necessity, in the event of their not being able to procure officers possessing landed qualifications as heretofore, were authorized to accept the services of a description of officers, whose admission the Noble Earl so strongly opposed. His Lordship then detailed the prominent provisions of the bill, which offered arrangements, he contended, not liable to the imputed objections. At the same time, he entertained no doubt of the Lord Lieutenants exerting themselves to find out officers fully qualified, and who would be willing to serve. Such officers would naturally be preferred by them. In concluding, his Lordship observed, that the Noble Earl had assigned no sufficient reason for postponing the second reading of the bill.

Lord ROLLE seemed to think that no necessity existed for the present measure, which, in some points of view, he regarded as highly questionable. To ascertain his first point, he thought that an official return of the number, &c. of the militia officers should be laid before the House; and if it should appear that there were not a sufficient number, he should have no objection to the bill's passing.

The Earl of CARNARVON spoke in explanation, in the course of which he repeated his observation, that the conduct of Government of late years relative to the militia, was such as to disgust the officers in general: respecting this he entered into some details, and observed, that, were the present system persisted in, and the militia continued, it would be preferable to lower the number of that part of the national force. The Noble Earl was called to order by the LORD CHANCELLOR; and, after some conversation respecting the question of order, the Duke of MONTROSE rose, and spoke shortly in support of what fell from the Noble Lord on the woolsack. With respect to the observations of the Noble Earl, he conceived none of them applied against the present measure; they were the arguments adduced last year on an occasion nearly similar; and he begged leave to observe, that the measures respecting the militia, so strongly reprobated by the Noble Earl, were not, properly speaking, attributable to the Minister, but approved by the Legislature after full and repeated discussions. The Noble Duke expressed his regret that men duly qualified were not seen at such a crisis as the present, cheerfully coming forward to serve in that highly useful and constitutional part of the national force. He approved of the militia on other grounds besides those of constitutional principle; it was an excellent defensive system, and being on foot together with the standing army, they were reciprocally useful checks upon each other. Every man who possessed an acre of land in the kingdom was constitutionally bound to defend it; he owed a military service to the crown, on the old principles of the feudal constitution. It was necessary to procure an effective force, and if it could not be done in the way of bounty, stronger measures were necessary. He was adverse to any delay of the bill, the principle of which was then as fully understood as it could be six months hence.

The Earl of RADNOR strongly disapproved some of the provisions of the bill, which he seemed to think would tend still more to disgust the officers alluded to.

The LORD CHANCELLOR, in support of the motion, observed, that the disapprobation expressed by Noble Lords of any particular provisions of the bill, was rather a reason for its going to a committee; beside which, a future opportunity would regularly offer for the discussion of its principle. With respect to the maintenance of order in their Lordships' proceedings, the House would be aware of its necessity; and that it was his duty, to the best of his judgment, to see that it strictly took place, without reference to the situation or feelings of individuals: a necessity for acting in such a manner, he observed, had of late become more necessary than ever.

[Here another conversation took place concerning the question of order.]

Lord CAWDOR delivered his sentiments on the subject at some length. He declared his attachment to the militia, as a constitutional and effective force; he expatiated on the services it had performed, and on the professional merits and patriotism of its officers. He seemed to disapprove of part of the former conduct of Government respecting the militia, and to express much anxiety relative to the practice of recruiting the standing army from the militia.

After a long and general conversation respecting points of order, the question being called for, the same was regularly put from the Woolsack, on which a division took place, when there appeared for the immediate second reading of the bill, 41; against it, 2.—Majority, 39.

On re-entering the House we found the Earl of CARNARVON on his feet, warmly contending against the bill. The question which furnished the Noble Earl an occasion for thus delivering his sentiments, appeared to be for its commitment. His Lordship spoke at some length, and urged a variety of detailed observations against the measure, founded on those principles which he had adverted to as above. He took occasion to combat an idea of the Noble and Learned Lord's, namely, that because only some of the provisions of a bill were objected to, it should be suffered to go to a committee; such a mode of reasoning, he contended, may be urged in behalf of any measure, however worthy of censure or disapprobation.

[CLERGY NON-RESIDENCE.]—The House then, pursuant to the order of the day, resolved itself into a committee on the clergy residence bill, Lord Walsingham in the chair.

When that clause was come to which fixed the termination of the suspension to the 8th of July,

The BISHOP of ST. ASAPH rose, and delivered his sentiments upon the subject of which the bill before the committee formed a part, at considerable length. He repeated many of his observations of last night, adverted to the indiscriminate operation of part of the statute of Henry VIII. and described the progress of the various suspending bills, which were passed within the three last years. He expressed his disapprobation of those measures, and gave his opinion that if they were not resorted to, that statute alluded to would ere now have been properly amended. He would go farther; he thought that if the present bill was assented to, they should hear no more of the amending bill till next spring, and so on. On these grounds it was, he should in the present instance propose to shorten the term of the suspension. With respect to the statute of Henry VIII. of which so much had been said, and also on the effects of the proposed plans for amending it, he thought the penalties of that act should be mitigated. He was fully aware of the present and future contingent situation of curates: if residence were fully enforced, many of them naturally would be ousted; but such a consequence could by no means generally follow. In illustration of this position, the Rev. Prelate entered into a detailed view of the situation of curates in general, particularly those in the country. He observed a resident curate was, in many instances, as great a *rara avis* as a resident clergyman; this in a great degree proceeded from many curates undertaking the duty of different parishes. The Rev. Prelate also adverted, and with great effect, to the unwillingness which especially young clergymen manifested to undertake the duty of country parishes; they preferred the duty of populous or market towns, and, above all, that of the metropolis, where many, conceiving themselves men of abilities and eloquence, were fond of exhibiting in the pulpits. Persons of this description generally employed curates for the country duty, who, in the event of an enforcement of residence, would probably be ousted: but at the same time, there were numerous instances where, in cases of small livings, the incumbents held also valuable curacies, of which, however, in the above event, were they to be deprived, they would obviously be not left destitute; and were one description of cases set against the other, those of real hardship would be found not so numerous as was generally imagined. Drawing towards a conclusion, the Rev. Prelate repeated his opinion, that, were the bill before the committee passed in its present shape, no more would be heard of the general amending bill until the next session, &c. Under which conviction, he would move, "That instead of the 8th of July, the "13th of May be inserted."

The LORD CHANCELLOR observed, that the proceeding adverted to by the Rt. Rev. Prelate, was a parliamentary acknowledgment that the statute of Henry VIII. wanted revision. With respect to the question regularly before the committee, he observed, that there was no difference of opinion as to the expediency of continuing the suspension; but as to the interval of time, the Learned Prelate seemed to go upon an idea, that there existed an intention somewhere, to bring forward a general bill, which might pass before a certain period. On this head, he would say, it were better not to cramp such an intention by too limited a period, which might prevent exertion from having its full scope. For his own part, in this view of the case, he should vote for the longer term, because it would naturally afford a better chance of the bill alluded to being brought forward; at the same time he seemed averse to a further suspension.

The BISHOP of DURHAM, in delivering his sentiments, took occasion to advert to the very great fitness of the learned and respectable Member of the other House, who had undertaken the task of the bill alluded to, to do ample justice to the subject. But his Lordship begged leave to question the propriety of seeming to call upon that Gentleman, when his present indisposition was considered. He had the highest possible opinion

of the character of that Learned Gentleman, and was persuaded he would come forward as soon as circumstances would permit him. His Lordship observed, he would not then follow the Rev. Prelate who opened the discussion, through his detailed observations, as probably another opportunity would present itself.

The LORD CHANCELLOR wished it to be distinctly understood, that he grounded his preference to the longer term, only because it afforded a better chance of something conclusive in the interval.

Lord ALVANLEY took occasion to observe, that if the general bill should be so far delayed this session as not to be brought up until the beginning of July, he should hold it his duty to oppose it; and he perfectly agreed in what had been so ably stated by a Noble Lord (Grenville), towards the end of the last session, respecting the necessity of having a full attendance, particularly of the Rev. Bench, in the discussion of the subject in question.

Lord AUCKLAND delivered his sentiments on the question at some length: he noticed the improper effect of such bills of suspension, which in some measure may be said to leave that part of the community without law. He argued in favour of a general amending bill, and which, among other good effects, would go to ameliorate the condition of the poorer orders of the clergy. With respect to shortening the term, the other House, in the view of its pecuniary operation, would, on that account, be induced to reject the bill. Adverting to the circumstance of a general amending bill, the Noble Lord expressed his opinion that such a measure might very properly originate in that House; and he alluded to certain regulations, which, in such a legislative provision, would be attended with the most salutary effects. In allusion to what had been said of the state of the attendance in that House, particularly towards the close of a session, his Lordship made some admirable philosophical remarks on the nature and propensities of man, the almost irresistible attractions of rural retirement or occupations at certain seasons of the year, with a view to palliate that occasional, and sometimes frequent secession from parliamentary attendance, at the seasons of the year alluded to.

Lord ALVANLEY, in explanation, observed, rather jocosely, that were the Noble Lord's ideas of green fields, &c. set up as a plea for the non-attendance of legislators, there ought to be a sort of *qui tam* proceedings instituted on the occasion. With respect to the bill so frequently alluded to, for his part, he rather preferred its originating in that House, as therein it would, most probably, have a more free and full discussion.

The LORD CHANCELLOR, after shortly noticing what had transpired on the subject of non-attendance and absence from town, observed, that he saw no objection to the bill originating in that House; but in all probability, a bill so originating, would require a very full second discussion, in consequence of the alterations which would most likely be made in it by the other House; and particularly with respect to the subject of curates, he observed, it would be found rather difficult to make a provision for them in that House.

Lord ELLENBOROUGH delivered his opinions on the general subject at some length. He was unfavourable to the practice of suspension—a subject which was never warranted, save by considerations of public necessity.—He took occasion to pronounce a splendid panegyric on the character and talents of the Right Hon. and Learned Gent. (Sir W. Scott), so often alluded to in the course of the discussion. He adverted to the great difficulties as well as the importance of framing legislative provisions to remedy the evils complained of; but though they could not do all the good they wished, they should do all the good they could: they should, as far as in them lay, ameliorate the statute of Henry VIII. by a general bill. The Noble Lord adverted to a variety of provisions which could in such a measure be introduced with the most salutary effect. He alluded to certain descriptions of the clergy who he thought should not be exempted from residence on pleas which were at present held as admissible. The consideration of how the Commons may afterwards treat the bill, should not prevent them from originating the measure in that House, in which work he would be most happy to assist, as far as the very little leisure his official duty afforded him.

Lord PELHAM delivered his sentiments on the occasion, which in a great degree seemed to tally with those of his Noble Friend on the Woolsack. He observed it would be improper to act on the presumption of what may be the intention of any individual to propose. He entertained no objection to a bill of the description alluded to originating in that House: on the contrary, he seemed to think it the better place, particularly with a reference to the Bench of Bishops; and in the discussion of the measure he would cheerfully assist to the utmost of his power.

The BISHOP of DURHAM spoke shortly in explanation, as did

The BISHOP of ST. ASAPH, in the course of which he deprecated the effects of misapprehension, and observed, it was proper it

should be understood, that the statute of Henry VIII. instead of diminishing the power of the ecclesiastical courts, went in furtherance of the old law of residence.

After some further observations, the Rev. Prelate, the Bishop of Rochester, having consented to withdraw his amendment, the bill went through the committee, and the report was ordered to be received next day.

HOUSE OF LORDS.

Friday, April 1. *(See Minutes, p.* 667.)

[Clergy non-residence.]—The order of the day being read for receiving the report of the clergy residence bill,

The Earl of Carlisle rose, and said, he had a few observations to make connected with the bill, which might be as formally offered on the present occasion as on any other stage of the bill. The Noble Earl then launched into a variety of observations, chiefly applying to the general subject. He declared his aversion to suspension bills in general, as they tended, so far as their operation applied, to leave the community without law, and to remove those landmarks which the wisdom of our ancestors had carefully established. The subject to which the bill related, was undoubtedly one of considerable importance; and it was generally admitted that something was necessary to be done to remedy the inconveniences and grievances complained of. On such an occasion the Noble Earl said their Lordships should depend upon themselves principally. It was improper to rely, in a case of such magnitude, on the exertions of any single individual, however learned or appropriately qualified: notwithstanding which, he was inclined to entertain little hopes of seeing an efficacious measure brought forward in that House. In framing a general bill, whenever it should be undertaken, there was one consideration which forcibly struck him as necessary, in order to render the measure complete and effectual; namely, an adequate provision not only for the poorer curates, but for some of the other inferior orders of the clergy, who were unhappily in very necessitous circumstances. Of the former, such instances of distress and misery could be detailed as would make their Lordships' hearts ache. Respecting this provision, he thought that it should come out of the public purse. His Lordship enforced these leading ideas by several relevant observations, in the course of which he said, there were persons in that House fraught with ecclesiastical and legal information, who were fully competent to the undertaking alluded to.

Lord Arden begged leave to offer a few observations on the present occasion; he expressed his surprise, that after what they had all heard in debate last night, any observation should be thrown out expressive of a degree of despair that the subject in question would not be effectually taken up, and originated in that House. What transpired in the discussion of last night, was of considerable importance; it would, he was confident, be productive of much benefit, and for his own part, it made a deep impression on his mind. He must deprecate all objections to bills originating in that House, with a reference to what might be their probable fate in the House of Commons. To act upon such a principle would be something like a standing in awe of the other House, and would in a certain degree tend to render the House, instead of its being, as it incontestably was, an efficient and component branch of the Legislature, a mere cipher in the constitution of the country. Though he thought and felt in this manner for the estimation, on constitutional grounds, of a House of which he had not long had the high honour to be a Member, yet he duly respected the constitutional privileges of the House of Commons, in which he had the honour to sit many years. After what had passed last night, he entertained no fears of an efficient measure originating in that House, which he was inclined to wish it should. The Rt. Rev. the Bishops formed a part of that House, to whose province the subject in question more particularly belonged; and besides these there were several Noble and Learned Lords every way adequate to the task; among these he could not help especially regarding one, then in his place (Lord Ellenborough), whose opinions seemed to make such an impression on their Lordships yesterday, and from the talents and information which he displayed, he evinced himself peculiarly well calculated for the task. He was aware of the important and various official duties of that Learned Lord, yet he could not avoid expressing his hope that his Lordship would come forward and give as much of his precious time as he conveniently could to the subject. Were the Noble and Learned Lord to undertake it, he entertained the most confident hopes of a salutary and effectual measure being the result; and he doubted not, that were a bill sent down from that House to the Commons, they would treat it with the most respectful attention, and contribute every thing in their power towards rendering the measure effectual, consistent with their own peculiar privileges.

Lord Auckland agreed with the Noble Lord as to the general propriety and good effect of a measure of this kind originating in that House; and further, he thought their Lordships should, on the present occasion, chiefly rely u on their own exertions. Did they rely solely on the other House, or rather on the exertions of any single individual, one

of these results would, he thought, be the consequence: either that no bill would be sent up to them this session, or, that it would be sent up at so late a period, that their Lordships would be unable to collect in sufficient numbers, fully and duly to discuss it. For his own part, he was not fond of giving pledges, but so deeply was he impressed with the consideration that something should be done in the affair, he would say thus far, and he begged to be rightly understood, that if no bill should be sent up to them on the subject, or no other Noble Lord came forward, at an early period after the ensuing recess he should himself, notwithstanding the importance of his official avocations, and however inadequate he might be in some parts of them, undertake it, so far as to commit his ideas on the subject to paper, and lay them before the House in the shape of a bill. He should certainly give his best attention to the subject, and what he should propose would be the result. He doubted not when he had gone so far, what he should crudely and indigestedly lay before the House would be attentively considered and discussed by their Lordships, among whom many men more competent than himself were to be found. He should have in view, in what he should propose, two principles, which he thought of the highest importance; first, that the church should be left to govern itself, and, secondly, to keep the principle of residence in view, so far as to secure to parishes a due care and attention, with as little hardship or inconvenience to individuals as was practicable.

The LORD CHANCELLOR called the attention of the House to the precise nature of the question before them, which was, whether it would agree to a single amendment made in the title of the bill, and only going to correct an inaccuracy with respect to the dates as originally expressed? Their Lordships would judge how far what had been said was applicable to that question. However, what had transpired induced him to offer a very few observations. With respect to making pledges, he would remind any individual Peer of the extent, importance, and difficulties of the task to be undertaken, and he would beg leave particularly to address himself to the Noble and Learned Lord who seemed alluded to by the Noble Lord who spoke second in the debate, and bring to his consideration the duties of his official station: these were so various, so important, so onerous and pressing, as perhaps not to afford him sufficient time to pay the necessary degree of attention to the subject. For his own part, his official duties were such as entirely to disable him from undertaking the task; but whenever the bill should come before that House, he would of course assist in its discussion, and in bringing it to maturity to the utmost of his power: indeed it was the bounden duty of all their Lordships to assist on such occasions, to the extent of their respective abilities.

Lord ELLENBOROUGH expressed his coincidence with what fell from the Noble and Learned Lord. He was fully aware how much of his time was necessarily engrossed by due attention to his official duties, and such considerations should influence, with respect to his entering into a pledge for the performance of any thing that might clash or interfere with them. Indeed, generally speaking, he was not fond of pledging himself, or of making promises on such occasions; he had rather come forward and act where it was practicable, than make any promise at all. He was also as fully aware of the extent and importance of the subject in question, which he seemed to think admitted of two views, the greater and the less. His Lordship took occasion to panegyrize the talents and extensive information of the Rt. Hon. and Learned Gent. who had already come forward on the occasion; and in better hands, he observed, the subject could not be placed. However, with respect to the less or limited view of the subject, he did not see that degree of difficulty in it which some Noble Lords seemed to conceive—he meant the question of residence. To this point he had lately given some hours close consideration, and the result was, in his opinion, that the difficulties of it in a great degree may be obviated. With regard to the greater and more comprehensive view of the subject, he seemed to think himself inadequate to the task, even were there any prospect of his important judicial avocations affording him any leisure.

Lord ALVANLEY, in the course of his observations, remarked, that he never could entertain any doubts of the propriety of the bill originating in that House; he only meant to express his apprehension that the Commons would never agree to any provision for the inferior order of the clergy, out of the public purse, in the shape of a bill from that House. He then observed as to the tendency of what had already been done in the affair, and seemed of opinion that something should be done with respect to depending actions, even on grounds of justice; in regard to those which might arise hereafter, it would naturally be matter of future consideration.

The question was then put, and the report agreed to by their Lordships.

HOUSE OF LORDS.

Monday, April 4.—(See Minutes, p. 668.)

[MILITIA OFFICERS' BILL.]—The order of the day being read for their Lordships going into a committee on the militia officers' bill, and the question being put,

Earl ROMNEY rose, and expressed his sentiments upon the subject of the militia at some length. He adverted to the measures lately adopted with respect to the militia, particularly those which took place last year. Of the latter he expressed his disapprobation, considering them at best but as unnecessary, in many instances injurious, and generally disgusting to the constitutional officers of the old militia. The addition of the three captains to each corps clearly increased the difficulty experienced by the Lord Lieutenants in meeting with qualified officers. The measures of Ministers with respect to the militia were such as must disgust the commanders of militia regiments, and induce them to retire. With respect to himself, he thought the militia reduced to that situation, that, under all circumstances, its continuance was no longer desirable. If any Lord should concur with him, he could almost himself move for the repeal of the militia laws, when the army could go on as before the establishment of the militia.

Marquis TOWNSHEND spoke shortly in answer to what fell from the Noble Earl. He differed entirely from him with respect to the effect of the measures adopted by Government in regard to the militia, deeming them neither degrading nor injurious. He deprecated all ideas of suppressing the militia, and seemed surprised at hearing such an idea started, particularly at a period when the power of France was at such an alarming height. The militia he considered as necessary for the home defence, and, with a view to render the troops of the line the more completely disposable, independent of offensive operations, a large disposable force would always be necessary, particularly for the defence of our colonial possessions.

The House then resolved into a committee, Lord Walsingham in the Chair.—When the clause objected to, on a former discussion, by certain Peers, namely, that authorizing the service, and settling the rank of officers unqualified by the old militia laws, was read, some explanatory conversation took place in the first instance between Lords Radnor, Hobart, and his Royal Highness the Duke of Cumberland.

The Earl of CARNARVON expressed his hostility to the clause at some length. He asserted, that, did the committee agree to the clause, a great sacrifice would be made without any reasons being assigned, and, in fact, on the bare requisition of the Minister. He recapitulated several of his former observations respecting the original establishment of the militia as a constitutional defensive force, and alluded to certain points of the late conduct of Ministers, which he said were in direct contradiction to their declarations only ten months ago. He would prefer the suppression of the militia to its remaining in its present altered and degraded state. He expatiated on the constitutional evils of removing the necessity of qualifications, which he thought was done to bring the militia more into the power of the Minister. He deprecated the practice of sending the militia out of the country, and which was followed up, he observed, with the more injurious measure of rendering it, in fact, a mere drill for the regiments of the line.

The Duke of CUMBERLAND observed, he ought to apologize to their Lordships for thus obtruding himself (two or three Peers having risen at the same time, but immediately gave way to his Royal Highness), when there were so many other Peers better qualified than he was to give an opinion upon the subject; but he assured the committee he should not detain them many minutes. With respect to the clause before them, and which was so strongly objected to, he observed, the effect of it was merely to enable the Lord Lieutenants to officer the militia corps, in cases of vacancy, by military men. The objections, however, to this regulation were made in the way of an apparent insinuation that such would be a breach of the constitution. Did he view the operation of the clause in that light, he assured their Lordships he would be the last in that House to support it: but he considered the measure very differently. In the first instance, the Lord Lieutenants were required to fill up with qualified officers according to the old regulations; nay more, the provisions of the bill before the committee went to strengthen the established principle of the old militia, inasmuch as it enabled the Lord Lieutenants to look for qualified officers in other counties than those to which their corps belonged, which they were not previously authorized to do. This he considered as a constitutional advantage, as it could not be denied but that a gentleman of landed property in Yorkshire, and one of landed property in Wiltshire, had the same general interest in defending the country. He entertained no doubts of qualified officers coming forward in its defence; and must deprecate every idea of disbanding the militia, that established constitutional force. The proposed measure he regarded as one dictated by necessity, for it was obvious the militia could not be brought into action, or marched, without officers. He entertained the highest possible respect for the militia, yet he must think the introduction of military men would be of service. Some stress was laid by a Noble Lord on the circumstance of militia-men being sent abroad: his way of putting the case, however, was not very correct; the army was in want of men, at the time, for a very particular and important occasion, on which a certain number of militia-men were authorized

by Parliament to enter into the regiments of the line, did they choose it, as volunteers, as the militia corps could not constitutionally be sent out of the country; for, with respect to Ireland, he must consider it, especially since the Union, as identified with this, and as forming but one country. He hoped the militia of both parts of the United Kingdom would be of reciprocal service. On these general grounds he should give his full support to the bill.

Earl Romney, in reply to part of what had fallen from the Royal Duke, expressed his regret at feeling himself obliged to differ even on the slightest point from his Royal Highness; but he was of opinion, that Ireland was very differently circumstanced from Great Britain in regard to its militia. With respect to the idea of abrogating the militia force, he certainly could not entertain it, as applying to the present period, or in the present circumstances of the country, but as a measure, under the consideration he had alluded to, desirable at a future period.

Lord Redesdale defended the conduct of Government with respect to the militia, and pointed out to the committee the essential difference between the constitution of the militia force as a permanent peace establishment, and as formed for purposes of war.

The Earl of Westmoreland followed on the same ground, and defended the militia as constituted at present, in which form it rendered the most essential and glorious services to this country. He observed, one great advantage derivable from the militia was, that it superseded the necessity of having recourse to a foreign service for defensive purposes. The principle upon which the clause objected to proceeded, was by no means new in the militia system; there were acts of Parliament which gave a suspending power with respect to a proof of qualification. He thought it better, as now proposed, to vest the Lord Lieutenants with a direct power in case of necessity; and he could not help observing, that the ideas suggested by the Noble Lords opposite, was rather an odd way of shewing their friendship for the militia.

The Earl of Limerick could not refrain from making a very few observations on the present subject. He observed, that the circumstance of the English militia serving in Ireland was noticed by certain Noble Lords in such a way, as if those troops were compelled by Government to go thither against their inclinations: that, however, was very far from being the case; the militia corps in this country felt for the situation of their loyal brethren in that country, and, with a zeal and alacrity which reflected eternal honour on them, and would lastingly attach the loyal inhabitants of Ireland to this, volunteered their services to assist them. Such a proceeding was not an infringement of the constitution, and wicked indeed would Ministers have been, did they refuse such offers. With respect to the Union, no man could possibly approve that wished-for consummation more than himself. But to render it fully effectual, or better than a parchment record, the two countries should assimilate in every thing. He even thought there should be a clause in the present bill for their service in Ireland, as it is already done with regard to Scotland. He knew not what difference there was between those countries, equally united to England, unless it was that the one required a voyage of about sixty miles to reach it. Were the services of the militia limited, according to the ideas of the Noble Lords, to their respective counties, it may be a good police institution, but could never be an efficient military force.

The Earl of Radnor, in reply to the last speaker, enforced some of his former objections, and contended that the original compact made with the militia had been violated.

The Duke of Cumberland protested against the idea that the militia were drafted into the regiments of the line; the case was very different, the act only enabled them to turn out as volunteers.

The Earl of Carnarvon spoke at some length in explanation.

The Earl of Limerick, in reply to an observation of the last speaker, observed, that the officers of the militia in Ireland, with the exception of the colonels, were not appointed by the Crown.

Lord Bolton approved of the present measure, but observed, he, as one of those officers authorized to act by the bill, should not feel himself justified in accepting the offers of unqualified officers, except he should not be able to meet with officers qualified according to the former regulations; of which, however, his Lordship seemed to think there was no danger.

The Marquis of Sligo, adverting to the constitution of the militia of Ireland, explained, that the officers there were appointed in the same way as in this country. He expatiated on the firm attachment of the Irish in general to Great Britain, and noticed that remarkable expression of the national wish at the famous meeting of Dungannon—"Let us share the liberties of the British Isle!" His Lordship expressed his heart-felt satisfaction at what had fallen from the Royal Duke respecting the reciprocal services of the militia of Great Britain and Ireland.

Lord Pelham defended the measure on the general grounds adopted by Noble Lords at his side of the House.

After which, some further discussion took place, chiefly between the Earls of Radnor and Carnarvon, and Lord Hobart, in which the last-mentioned Peer expressed his hope, that in general the provision would be unnecessary, save in a few counties, where it may be found indispensable.

The question was called for, when the strangers were ordered to withdraw, peparatory to a division, which, however, did not take place.

The remaining clauses of the bill were then agreed to by the committee, and the House resuming, ordered the report to be received the next day.

HOUSE OF COMMONS.

Monday, April 4.—(See Minutes, p. 668.)

[James Trotter.]—Mr. Sheridan observed, that the prisoner could not be heard again at the bar upon the present charge, because he had been heard already. He thought the two resolutions of his Hon. Friend (Mr. Tierney) perfectly regular, and that there was no occasion at present to go beyond them: the substance of these resolutions was, that James Trotter, now in custody of the Serjeant at Arms, having been duly summoned by the warrant of the Speaker, and the order of the Chairman of the committee, and having disobeyed such warrant and order, had been guilty of a breach of the privilege of the House. This Mr. Tierney had moved. The next with which he proposed to follow it up was, "That the said James Trotter be committed to his Majesty's gaol of Newgate."

Mr. Bragge observed, that he had no wish upon this subject, but that the House should conform to the principles of justice: he had no concern with any of the parties; he hardly knew the name of the individual who was the subject of this motion; but he thought the House had rendered it necessary to hear the prisoner again, from the course the House pursued when he was before them. The House need not have taken that course, for it had full power to act upon the Report of the committee, and to have committed the prisoner immediately; but the House had not done so, but ordered another course to be pursued, and which, in his opinion, varied the course which the House ought to pursue now; and now he thought it proper to hear the prisoner again, because, by ordering the minutes to be laid before the House, they had aggravated the prisoner's case, and he had not been heard in answer to that aggravation.

Mr. Tierney observed, that as to the course now proposed, he should be ready to assent to it on certain conditions, which were to pursue the subject further. He had no difficulty in giving way to every suggestion that might appear favourable to the individual now in custody; his great object was to get out the whole truth. It was now said there were two charges against this man, and that he had been heard only upon one of them. He knew but of one charge against the prisoner, James Trotter, which was, that he had disobeyed the warrant of the Speaker of that House, and an order of the Chairman of a committee of that House; that was the charge against this person: it was, indeed, true, that that charge was strengthened by the evidence which had been laid before the House in addition to the Report of the committee, which stated him to be in contempt. The only question upon the evidence was, whether it furnished ground for a more harsh or a more lenient punishment than the House would have thought itself called upon to inflict, in case the whole matter had rested upon the Report of the committee? But the House, if it heard the prisoner again, must, in justice, hear the party accusing him again; and the House, if they felt any inconvenience in this course, would bear in mind that they brought it upon themselves, for the course was for them to commit the prisoner to Newgate at once, upon the Report of the committee, by which he appeared to be in contempt; and the House would recollect also, that as to the inconvenience felt by the prisoner, it was also an inconvenience which he had wilfully brought upon himself. For his part, he felt that he was shewing a great deal of forbearance in not carrying this matter further, nor did he wish to press against this man any thing harsh; but if this matter was pursued, and any other person was concerned in this most unfair proceeding, he ought to be brought forward and properly punished. He thought it an interesting matter to the public, that all the adherents of this man and his abettors, and perhaps the founders of the plan by which the purposes of justice had been defeated, should be punished. The motion which he should regularly make, after the present one was disposed of, would be, that James Trotter be now sent to Newgate. If he should hereafter petition that he may have an opportunity of being heard to explain away any misconception he may say had been entertained on his case, he should wish the House to hear the petition; but if that should be done, he now gave distinct notice that he should lay in his claim to be heard on the other side. He should propose to examine witnesses, and to bring home very serious charges, he believed, against some other persons, some of high station. He had reason to believe that this would distinctly appear if the matter was inquired into, and that was a matter which he had

much more desire to pursue than the punishment of this individual. He now only should move that this person should be committed to Newgate; but if Trotter took his advice as a friend, he would go to Newgate and stay a while quietly there, and stir no further in the matter. In point of public justice, more ought to be done in this business than he was now doing. He should now move, that James Trotter, having been duly summoned with the Speaker's warrant and Chairman's order, &c. and disobeyed such warrant and order, has been guilty of a breach of the privilege of this House.

The question was put and carried *nemine contradicente*.

The Speaker then suggested, that the latter part of the vote, that of its being *nemine contradicente*, ought not to be entered, lest it should imply a doubt upon a matter which was clear, and have some effect upon future proceedings: by entering these words *nemine contradicente*, it might seem as if the House thought a case might happen in which disobedience to the warrant of the Speaker was not a breach of privilege, and so the authority of the House might be weakened in future, by endeavouring to mark this particular case: every disobedience to the warrant of the Speaker, or order of a Chairman of a committee of that House, was a clear breach of privilege, and therefore there was no propriety in marking one case more than another, in the event of such disobedience; the vote upon them always ought to pass *nemine contradicente*, but never to be so entered, lest it might bring a doubt where there ought to be none.

The House immediately adopted this suggestion from the Chair, and the words *nem. con.* were left out.

Mr. Tierney then moved, "That the said "James Trotter be, for his said offence, com- "mitted to his Majesty's gaol of Newgate."

Mr. Bragge observed, that he had heard nothing which had changed his opinion relative to the course which the House ought ultimately to take in this proceeding. He had said, that in substance there were now two charges against this person instead of one: 1st, that he had disobeyed the summons of that House; 2dly, that he had wilfully, and from corrupt motives, been guilty of a breach of the privileges of that House: the latter was totally distinct from the former; to one of which the man had been heard, to the other he had not; for the one therefore he ought to be punished without further discussion, for the other he ought to be heard before he was punished at all. The Hon. Gent. whose motion was now before the House, had a right to say, that thus absenting himself was a crime of considerable magnitude, and that it was aggravated by what appeared on the minutes of the committee, which had been laid before the House; but then he could not help thinking that the man ought to be heard as to the matter of aggravation: but the Hon. Gent. said, he had no objection to the prisoner's producing evidence in his defence; now if he did not object to his producing evidence in his defence, how could he object to the man's being heard in his defence? But he said, that if Trotter was advised to make any further defence, the other side must have an opportunity of offering evidence. Now, this he could not assent to; he thought it impossible to hear any more evidence upon the subject. It was impossible to hear any further evidence, even on behalf of the prisoner himself, because the House had already, by voting that the prisoner had been guilty of a breach of privilege, decided that he must be punished, and the House could not hear any evidence against that decision. Still, as to the quantum of the punishment, he thought that the man ought to be heard, not by witnesses; he never had an idea of that, because they could not be upon oath, and their testimony could not be received against that which was upon oath, and now before the House; but he might be allowed to address the House for himself, upon the matter urged against him as aggravation, for upon that he had not been heard. The Hon. Gent. stated, that the absence of this man was a crime—that he admitted; and he thought upon the evidence, that the absence must be taken to be wilful. The Hon. Gent. seemed to take this matter up on behalf of some of the parties: he had no knowledge of that sort; he knew nothing of the case, further than as it appeared from the evidence on the table. But the Hon. Gent. took a more active part, and seemed to speak from further information, and to say there were others to be implicated in this matter, if further inquired into: he then said, that if this man should at any time petition the House to be released, he should move another inquiry. Now that would be going farther than he thought the Hon. Gent. ought to go. However, if the prisoner was brought up and heard, Mr. Bragge said his purpose would be answered.

Mr. Tierney said, he did not see what advantage this man could have by being heard at the bar of the House, if he was not allowed to give evidence; for how, without evidence, could he hope to alter the feeling of the House upon the case? He had no objection to evidence being given in behalf of this unfortunate man, for it was not punishment on him that was his main object—he wanted to develope the scene. He had been considered by the Rt. Hon. Gent. who spoke last, as if he was some agent of the parties in this business;

he was no such character. He certainly did hear from Sir John Henderson the nature of this case; and he knew no reason whatever why a Member of Parliament should not hear the case of a party aggrieved, who came to the House to ask redress—as a Member of Parliament he addressed the House on such a case. As to taking an active part either one way or the other, he saw no impropriety in that, so that a man followed the conviction of his own mind. He denied that he took upon himself this matter as an agent of a party. The Rt. Hon. Gent. ought to recollect, that none of this matter of aggravation was recommended at first by him; for the course which he advised was, that the House ought to proceed immediately upon the Report of the committee, which course, had the House taken it, would have saved all the trouble which must now be taken. Under these impressions, he could not help feeling a little sore, under the idea of being called upon in this manner: he should repeat, that he had reason to be perfectly convinced, that if this matter was followed up, certain foul proceedings would appear, and facts would come out against some very high persons; and he thought, that instead of accusing him of going further than he ought, some parties ought to thank him for his lenity.

Mr. Bragge saw no reason why the Hon. Gent. should feel sore at any thing that was said; there was nothing intended to hurt him. If he knew of any underhand proceeding in this business, he might make it the subject of a substantive motion: all that was said upon that by him was, that the Hon. Gent. seemed to have some information from one of the parties in this proceeding. Mr. Bragge retained his opinion that Trotter ought to be heard upon the subject-matter of the aggravation of his case, because upon that matter he had not been heard at all; but that he could call no witnesses.

Mr. Sheridan differed from both the Hon. Gent. who had spoken on the subject, both on the former day, and the present occasion, for he thought that the matter ought now to be concluded. The prisoner could have no more to say, for he had been heard already, and his crime stood established, and was even admitted by himself. But as to evidence being given on the part of this man's accuser, what would that be but trying this cause over again; and, perhaps, implicating parties who have not had an opportunity of being heard, and perhaps, too, upon charges of a very serious nature? This would be bringing forward again the whole case of the election, which had been already decided by the committee, and would be superseding the authority of Mr. Grenville's bill.

Mr. Frankland thought that the proposed inquiry would not encroach upon the provisions of Mr. Grenville's bill, because this was not an inquiry into the merits of the election, which had been settled by the committee, and whose decision was not to be reviewed by the House; but it was an inquiry into collateral matter, which the provisions of Mr. Grenville's bill did not touch, and in which the House was at liberty to proceed according to its usage, as if Mr. Grenville's bill had never passed.

The question was then put, that the said James Trotter, for his said offence, be committed to his Majesty's gaol of Newgate.—Ordered *nem. con.*

HOUSE OF LORDS.

Wednesday, April 6.—(See Minutes, p. 668.)

[Militia officers' bill.—Lord Hobart moved the third reading of the militia officers' bill.

The Earl of Radnor took the opportunity to propose some slight amendments in certain parts of the bill, which were agreed to by the House.

The bill being read a third time,

The Earl of Radnor rose to propose the introduction of a clause by way of rider to the bill, the particulars of which he stated to their Lordships; but the leading effect he described, would be to restore the command of those companies to the field officers of the militia corps, of which, by the regulations not long since adopted, they were deprived, but which were still held by officers of corresponding rank in regiments of the line. In recommending the clause to the adoption of the House, his Lordship recapitulated some of his former observations on the proceedings with respect to the militia, and urged, that besides tending so far to restore the militia to its original constitutional principle, it would diminish the difficulty of finding officers properly qualified, by lessening the number of captains in each corps. The Noble Earl also made some observations with respect to the subordinate parts of the clause, and concluded by regularly moving for its adoption.

Lord Hobart felt himself called upon, under the present circumstances, to resist the adoption of the proposed clause. In the first place, he observed, it would directly controvert a legislative provision made in the last session of Parliament, by which that alteration, proposed after a due consideration of the point, was deemed advisable. The effect of that regulation, which he thought likely to be advantageous, they had not yet had an opportunity of experiencing; and he was of opinion, that, at least, such an opportunity

should be given. Nor was this the only objection he entertained against the clause; it would go, in a great degree, to render inefficacious one of the leading provisions of the bill itself, as it would so far give a greater latitude to the power of the Lord Lieutenants in these respects, than was in the contemplation of the bill. The Noble Secretary here described the effect and intention of that part of the bill to which he alluded, and having argumentatively enforced the above points, concluded by observing, he felt it his duty to oppose the clause moved by the Noble Earl.

Earl Spencer delivered his sentiments on the question at some length, in the course of which he expatiated on the importance of the militia as a constitutional defensive force, and expressed his regret at the alterations which had been lately made in that system. He thought the bill before the House, in that point of view, one of considerable importance, and, with respect to it, he must observe, that no case of necessity for it had been made out by Ministers, which he thought should have been done before they could be justified in calling upon the Legislature to adopt provisions so contradictory to the constitutional principles of the militia as originally established. On these general grounds, he was inclined to support the proposition of the Noble Earl, whose particular observations in recommendation of the clause his Lordship also enforced.

The question was then put, the proposed clause was rejected, and the bill read a third time and passed, and a message sent to acquaint the Commons therewith.

HOUSE OF COMMONS.

Wednesday, April 6. (See Minutes, p. 669.)

[Clergy non-residence bill.]—Sir William Scott addressed the House upon the nature of the bill he meant to offer to the consideration of Parliament. He said it was not his intention to trespass on the House any length of time, as the subject had undergone much discussion at various times; but he considered it necessary to observe, that ever since the establishment of religion in this country, there were existing laws which regulated the national church, and these laws possessed considerable merit, and evinced the wisdom of those legislators who framed them, and which enforced the clergy to give the strictest attention to the duties of the church, as well as allowing a certain provision to render her members in every respect comfortable. But these ancient laws had for centuries lain dormant. There were also several acts of a more recent date; in Lord Bacon's time, laws were framed for the regulation of the clergy; the letter and spirit of them were nearly the same as those of an anterior date, but which had also lain dormant till within these five years, since which time they have been brought into use, and, he was sorry to say, to the injury of many worthy men. Among the members of the church of England, he had to contemplate with pleasure many characters who were the highest honour to the nation; men of simple habits, amiable disposition, and laborious life, who were liable to feel the effect of one of these old statutes, and who would rather redeem themselves with money, than suffer the exposure which an information, founded on the act of Henry VIII. would enforce. Notwithstanding, it was his wish that some measure should be adopted to make the clergy attentive to the duties of the church. As the laws stood at present, relative to the duty of clergymen, they doubtless contained much defect; and it was high time to do what my Lord Coke had recommended above a hundred and fifty years ago, that was, to revise the statutes applicable to the regulation of the church. By the advice of his friends he had undertaken to give this subject serious consideration, and it would give him considerable pleasure, if he could serve a respectable class of men, consistently with the safety of religion and the morality of the country. On a former occasion, when this subject was discussed, he had expressed his wish that time should be given to deliberate on the bill then before the House; but every Member must recollect what a mob of bills rushed through the House, in the last agony of passing; yet he did not expect that the former bill would have been one of them. With respect to the present bill, he would inform the House explicitly, that it is fundamentally the same as the former bill. The bill he was about to submit to the wisdom of the House, contained an exemption to several persons; whether this was right he would leave the House to decide. He had not made any provision for the parochial clergy, not but it would be right to do so, but he thought it ought to come from another quarter. It was his wish that the parsonage-houses should be put in proper repair for the reception of their proper inhabitants; from the great decay these dwellings had been suffered to go into, many clergymen were under the necessity of residing at a great distance from their duty. As to those benefices to which there is no house attached, some provision ought to be made to render the clergy more comfortable. With respect, said the Learned Gent. to the small benefices, something has been done by Mr. Gilbert's act, but he thought it had not gone far enough to be of real service to this order of the clergy. The method he should propose would be, that Government should advance a large sum of money, as a fund, to mend the stipends of curates; this he thought necessary for the better support of those numerous, worthy, laborious men, on whom the religion and morality of the country much depended. He would

not wound the feelings of the House, by any recital of the gloomy stories which had been communicated to him, of the extreme distress these gentlemen have suffered since the act of Henry VIII. has been put in force, as it has been the means of their losing those livings which just gave them bread. The letters he had received from clergymen of this description, who are now in the greatest misery, affected his mind much; he therefore hoped some measure would be adopted by the wisdom of Parliament to relieve their necessities. The alteration of Queen Anne's act has made some progress to relieve the evil of small benefices, and it would be a matter of future consideration, whether it would not be better to consolidate Queen Anne's bounty for the advantage of small livings. He had not made any provision for the sister church, if that might be called the sister church, which was identically the same. The Learned Member said he had nothing farther to observe at present on the bill; but he hoped that it might go through a committee after the recess, as it possibly may be better regulated in a committee than on a first reading.—If, on the perusal of the bill, the House should express their satisfaction, he should be happy that he had been the means of rendering an effectual service to a large and valuable body of gentlemen, who have been much disturbed within these few years, by the letter of an old act of Parliament.—But if the bill should be found, by the good sense of the House, not to answer the intended purpose, he should be one of the first to relinquish it. He however hoped, that it would be found calculated to answer every purpose for which it was designed; therefore he should move for leave to bring in a bill for preventing spiritual persons from holding farms, and to enforce their residence on their benefices.

HOUSE OF COMMONS.

Thursday, April 7. (See Minutes, p. 669.)

[GRENADA LOAN.]—The report of the Grenada loan bill was taken into consideration, with the amendments, and ordered to be read a second time.

Mr. WILBERFORCE rose, and entered into a long account of our first connexion with the West India planters: he observed, that whatever might have been the wisdom and policy of Government in giving their support to those planters at one period, he did not think it politic to continue it at the present time. When the measure was first discussed in the House, Parliament were informed, that the money applied for would be very soon repaid, and that the House would not be troubled with any future application for money; but every Member in the House must know that had not been the case: repeated applications had been since made to Parliament for additional assistance, and repeated sums voted by the House for the support of the West India trade. Different periods had also been mentioned for the repayment of the money advanced by Government; but the House well knew that it had been a promise without a performance. A large sum of money was granted in the year 1799, for the service of our West India connexion, and not long after this period an application was made for a longer time to repay the borrowed sums. He was ready to acknowledge that he had no objection to the West India security, but he thought their applications grew upon us; we therefore ought to be cautious how we make use of the public money. And he did not doubt but every Member in the House was acquainted with this fact, that year after year application has been made to pay the St. Vincent's and Grenada loan, and that the application was always granted without much opposition. He must acknowledge that it appeared to him that the longer the planters had our money, the period for repaying it was farther removed. It was his opinion, that the money might have been employed much better than sending it to the most vulnerable part of the world; indeed the late attacks which have been made on the West India islands, as well as their internal inquietude, do not promise much return for our assistance: it is therefore necessary that the House should consider the value of our money, and the many valuable uses to which it may be applied, before they vote it away for the support of an unprofitable connexion. He had long been of opinion, that property was not to be considered safe in that country, and it would be extremely impolitic on the part of Government, to lend large sums of money for foreign use: in his mind it would be a dangerous practice, and if often carried into effect, the nation would feel its bad consequences. It had been rumoured that this money was employed for various purposes foreign to its intended application, but he did not mean to say there was any truth in the report: the only object he had in view, was a proper application of the public money: he thought, that if our money was employed in our own country, it would answer the purpose of Government better than in giving it to the West India islands. If he could judge from the conduct of Government, it was their wish to get rid of the public money. These, he said, were his candid sentiments on the Grenada loan bill; and instead of advancing any additional sums of money to the West India planters, we ought to lose no time in getting back the money we have already advanced.

The CHANCELLOR of the EXCHEQUER said, he was sure it must have been felt by the House, while his Hon. Friend was speaking, that a great part of his argument was addressed to them against the policy of the measure it-

self, and not to the circumstances of Grenada and St. Vincent's, either in the year 1795, or at present. His Hon. Friend had said, that by some Gentlemen that aid had been represented as a profitable and lucrative application of the public money, and his Hon. Friend had stated it as money lent out at interest to those persons who were the objects of it. He thought indeed it was both profitably and lucratively laid out at interest, but not in the way stated by his Hon. Friend, who had said some things which he could not hear from him without regret, particularly as the statement was made by one of so much general correctness of judgment. A great part of the argument of his Hon. Friend went to underrate the value of the object, for which this aid was given to the trade of Grenada and St. Vincent's, and he had suggested that it was employed in a different way from that which was professed to have been the object of it; that it had been employed on the subject of the slave-trade, or cultivation for extending that traffic. Now, Mr. Addington said, he hoped, let the sentiments of that House be what they might on the slave-trade, it had not made up its mind to do any thing that was unfavourable to the prosperity of any of our West India colonies. Did his Hon. Friend not recollect that every hogshead of sugar, and every puncheon of rum, and every other article of the produce of our West India colonies was material to us, as it tended to sustain the public credit of this country, by contributing its share in defraying our expenditure? Did his Hon. Friend not recollect, and feel how much the West India trade in general contributed to the maintenance of the maritime strength of this country? He was persuaded, that his Hon. Friend would upon reflection feel the weight of these observations, and he was confident that the House would not suffer any considerations, even of humanity, to mix with the consideration of policy to which he had adverted, as it might be supposed to bear on the measure now before the House; and in this he was confident he should have the concurrence of his Hon. Friend, for he was confident it was possible for many who wished for the abolition of the slave-trade, to attach the highest importance to our West India colonies and trade; but his Hon. Friend stated the danger which might arise from Government lending money to persons over whom it might afterwards have an influence.—Could this be seriously stated in the House of Commons?—Was this a loan from Government to individuals?—No; it was an aid given by Parliament to a particular part of trade connected with the public interest of the state. The sum was voted not by Government, but by the House of Commons, to individuals not connected with Government, to be distributed, and security taken for the repayment of it, not by Government, but by persons appointed for that office by Parliament; so that his Hon. Friend's apprehension in that respect was unfounded. His Hon. Friend had also observed, that Government ought to know whether the money already advanced under this bill had been properly applied or not; whether some of the parties had not made use of it for the purposes of extending the cultivation of other lands besides those that were in a state of cultivation at the time when this bill was first introduced? To this the answer was, that it was the duty of the commissioners appointed to act under the authority of the bill, to see that the aid of Parliament should not be improperly applied; and he did not think it proper to apply it to the purposes of extended cultivation; but, as to the security of repayment of the money granted under the authority of this legislative measure, he could assure his Hon. Friend, that Government had taken great pains to ascertain whether the parties were able to discharge the engagements they entered into on receiving this aid; and they were, as they ought to be, perfectly satisfied with the result of that inquiry, which was made by commissioners acting under the authority of that House. But it appeared also, from equal authority, that the individuals to whom the accommodation was granted, could not, without incurring more than inconvenience, discharge their engagements in the present year. What then was now asked? Not a renewal of aid, but a continuance of indulgence, from the last session of Parliament for one year longer. What was the proposition in regard to the indulgence already granted? That 200,000*l.* out of the remaining sum should be discharged in the course of one year, and the same sum in the following year, so that the whole will be discharged in three years from the present time. It was to be recollected that one third was discharged already, together with an interest, not to call it lucrative, but a limited interest of 5 per cent. and if the House would refer to the price of sugar at the time this indulgence was first granted, and the price of it for the last two years, they would see clearly the ground on which that indulgence was granted. The House had already acted on the ground that extraordinary indulgence ought to be shewn, and in so doing the House had proceeded with caution. In the present session of Parliament, a bounty had been granted on the exportation of sugar, in consequence of the low price, occasioned by a glut in the market at home, from the arrival of large cargoes from the West Indies. Under these circumstances those who suffered in this respect, did so more than formerly, and they stated to the House all the circumstances, by which it appeared, that by an ordinary price of sugar, they will be able to pay off 200,000*l.* in the present year, and a similar sum in each of the succeeding years, so that in three years the whole of the engagement of these persons with the public will be fulfilled; and the question now was; whether the House would

continue the measure which had been already adopted for so many years with so much advantage, or would contract its disposition, and subject these gentlemen, and all the property, perhaps, of Jamaica, to something more than inconvenience? He thought with his Hon. Friend, that this was an occasion which called for the vigilance of the House; not for its jealousy, but its attention, for there was nothing to suspect, but much to encourage; and on a view of all the circumstances of this case, he was convinced that the House would not only act liberally, but wisely, by acceding to the present proposition.

Sir Robert Peel said, he was relieved from a considerable anxiety by what the House had just heard from the Minister; for it was a subject that interested him greatly, and he did conceive it to be a subject, which, if discussed by men competent to that discussion, would appear in proportion as it was discussed, important and interesting, not merely to the West Indies, and to persons concerned in that trade, but to the people at large of the community in which we live, and even the great landed interest of this, not less than any other class of persons: it was therefore on this principle that he defended and supported the measure now before the House. What gave rise to this loan?—he did not call it a grant. Was it an unwise and imprudent speculation of a set of men who had no interest in the welfare of this country, with whom the measure originated? No; had it not been made appear that it was a measure of the wisest policy, to protect our property in the West Indies, at a time when, without it, perhaps, it would have been questionable, whether Government itself could have done so?—There was no blame attached to Government in consequence of that state of things at that time in the West Indies; it arose from circumstances which were unavoidable. He spoke with perfect independence upon this subject; for he did not so much as know the gentlemen who solicited the assistance of Parliament.—They applied for pecuniary aid from the House, not to incur any expense to this country, but merely for aid until their own affairs should come round; and in the granting of which the greatest advantage might be derived to the trade of the West Indies, which was so material to the whole of this empire. He was not only well convinced of the propriety of this application to Parliament, but he was also surprised very much they did not come forward with claims of a much stronger nature; that they did not apply to be reimbursed some losses which they sustained in consequence of a certain pressure which came on them.—The claim they brought forward was, in his opinion, moderate, nor was it an appeal to the humanity of the Legislature, or to the feelings of individuals, but an application to the good sense and the justice of those who were best acquainted with the true and enlarged interests of this country. The Legislature saw it in that light, and afforded assistance to the persons who made the application; in which it had acted wisely, for he had ever considered that West India property was a part of the interest of this country, and which had a perfect claim to the protection of Government. It was immaterial to him whether the produce of it was consumed here or in any other part of the globe; it was enough for him that it constituted part of the strength, as indeed it did the sinew, which was the marine strength of this country; for it was impossible not to know that our ships of war derived much of their vigour from this trade; and those who conceived that the landed interest of this country was not intimately connected with this interest, were but superficial politicians. One would have imagined from some things thrown out in the course of discussing this measure, that Government had been flippant in lending this money, when, in fact, Government acted in a manner that did it the greatest credit, and by which they removed a very considerable embarrassment, not only from Grenada and St. Vincent's, but from this country itself, which must have been ultimately affected if this measure had not been adopted. The measure had hitherto been attended by the best effects, and by no inconveniences; but if the Hon. Gent. (Mr. Wilberforce), by the exertion of his talents, should impress the House with an idea that this measure was an improper one, he would do an act of great mischief, because he would do an injury to the trade and manufacture of this country, for indeed they derived great support from the trade which this bill was calculated to protect; and he should be very sorry indeed to see any Ministers in this country inattentive to these considerations. He conceived this measure calculated for the interest of the whole, not a part, of our community. It had been said, that our property in the West Indies was of a precarious nature. Good God! that was the strongest reason upon earth why it should be assisted in time of need by the strong arm of Government. If it could not be supported without our aid, then they had a double claim—one upon our policy, the other on our justice. In whatever light he considered this measure, it met his entire approbation, although he should always be glad to see this, as well as every other matter, watched and examined.

Dr. Lawrence said, he had not heard any thing to convince him that our support to the West India trade would be injurious to this country. A loan had been granted from time to time; it was a principle that had been acted upon with great benefit to this nation; and he considered it the duty of Government to protect the West India trade. If we were to withdraw our support, he would ask what

would become of the natives, a numerous body of persons who were now employed to prepare those articles of commerce, which form an important part of our trade? The islands would be in a dreadful state of confusion and misery, and every tie in nature would be separated and destroyed, by men not far removed from savages. We have already had a proof of the sanguinary conduct of the blacks in that quarter of the world; and if they cannot be employed by their owners, in consequence of the want of that support we at present give to their trade, every thing that is miserable must attend them. But he was sure that the House would continue their support to that trade, which was of the utmost importance to the country.

Mr. Johnstone observed, that it had been said that the West India security was doubtful; but it must be recollected that two London merchants of great eminence had also given security for the money advanced by Government to the West India planters. The landed interest and the monied interest of the country were inseparable, and therefore if one felt an injury, the other must. He was of opinion, that the West India merchants had not received our money and support, as an indulgence, but had asked for the loan, as a claim.

General Gascoyne supported the bill: he said, he was rather astonished at the opposition which it had received from some quarters, particularly when it was considered what sums had been advanced, not lent, to the Sierra Leone Company. He was much surprised at some observations which had fallen from an Hon. Gent. respecting the precarious state of the West India islands. Such observations were always dangerous, and he hoped they would not be used in future.

The report was then agreed to, and the bill was ordered to be read a third time on the 19th of April.

HOUSE OF COMMONS.

Wednesday, April 20. *(See Minutes, p. 670.)*

[Nottingham election.]—Mr. H. Browne rose to make his intended motion. Having had the honour of being chairman of the committee, it was in compliance with their wish, and from the full conviction of his own mind, he brought forward this measure. He disclaimed any idea of proposing it with a view to criminate any individuals. The bill he intended to move for, he was aware, was a strong measure; but the facts that had been proved before the committee, and which had been long enough printed to afford Gent. an opportunity of becoming acquainted with them, shewed the necessity of making some alteration in the government of Nottingham. That House was particularly called upon to interfere, because the freedom of election had been grossly violated by outrages committed, not alone during last election, but on many other occasions, because the lives and properties of the inhabitants could not be secure without some effectual measure to guard against a repetition of the same violence. The outrages committed during the last election, had been attended with such circumstances of atrocity, as to induce the committee to make a special report. In compliance with the desire of the committee, he had, on a former occasion, moved for a suspension of the Speaker's writ till the report should be further considered; and under the same authority he proposed to move now for a farther suspension till the bill could pass through the House. The bill would not go to disfranchise nor to criminate any persons, it would operate only to enable Government to place the power of preserving the peace of Nottingham in proper hands, and would go no farther than a bill for appointing magistrates at Westminster. The object of it was to give to the magistrates of the county the same power which the magistrates of the city of Nottingham had; to restore to them a power which they possessed before the charter of incorporation was granted to Nottingham. He should not trouble the House longer, but reserve himself to answer any objections that might be advanced against his motion. He therefore moved for leave to bring in a bill for preserving the peace, and securing the freedom of election at Nottingham.

Mr. Pierrepont observed, that since he had the honour of a seat in the House, he had not trespassed on its indulgence. If his feelings could be known, it would be believed with what reluctance he now obtruded himself upon it. He had been called to the election of Nottingham, and he was sorry to say, that the most violent excesses took place there, and continued during the election.—The magistrates had been guilty of the most shameful negligence, and if they had not encouraged, they had certainly continued unconcerned spectators of outrages that were a disgrace to any civilized country.

Mr. Fox did not rise to oppose the bill, but he wished to call the attention of the House to the state in which the Report placed it. He thought it should not be prepossessed by accounts from any quarter, however respectable. If the report of the Hon. Gent. (Mr. Pierrepont) was true, the committee had shamefully abandoned its duty, in not reporting the magistrates to have incurred the severest animadversions of the House. He had himself bestowed the closest attention on the matter of the minutes, and the result was, according to

the best effort of his judgment, a conviction that the mayor was not guilty. If the military were necessary, did he not, he asked, call them in on every proper occasion? Did he not go to Mr. Coke's committee, and consult with them? Did he not do every thing but surround the booth with armed men? Did he refuse to make constables for either side, from a partiality for the other? Did he not, on the contrary, appoint all proper persons that were proposed to him as additional constables? Did he not offer to do every thing in his power, but what would have deserved the severest animadversion of the House? This bill was besides founded, as the Hon. Mover accurately stated, on the habitual riots at Nottingham. That riots existed there at former elections, was well known; and that such riots were always on the part of the interest adverse to the corporation. If on such occasions they had not been able to suppress the disturbances, it was a strong presumptive evidence that the magistrates had not been guilty of neglect at the late election. As to the nature of the bill, the committee seemed to have decided the guilt, with a view to direct the proceedings of the House. But the conduct of the magistrates was not materially affected by the substance of the resolution. Their incapacity to preserve the peace must have arisen from a defect of duty or of means. If from the former, it would be proper to introduce others, better disposed to their duty; if from the latter, it would require a remedy of another nature—to enlarge the means. The case was not a new one. More than one had occurred of a like nature. In every such instance, remedial bills were enacted, but the magistrates never were altered. The Hon. Mover admitted it was a severe measure; but he affirmed it would not go to disfranchise any one. It was only to restore the rights of the county magistrates, before the charter was granted. How it could restore, by overturning the charter, he could not conceive. It would be for the House to see, whether or not the bill provided any remedy. The magistrates appeared to him to have done every thing in their power, except what, if they had dared to do, he trusted there was yet spirit enough in the House to punish with just and merited severity. He trusted this country should never witness such an election as a naval officer had stated once in that House to have been made of some officers at Brussels, in the hollow square of the French army. It appeared that the mayor had not been guilty but in not calling in the military, and he was sure the magistrates of the county would be equally incapable of such a proposition. He did not deny that a remedy was necessary, and on that account he would not oppose the motion.

Mr. Bond would not follow the Hon. Gent. who had just sat down. Every question of criminality was irrelevant. It was now only to be considered whether sufficient ground had been laid for the measure proposed. The committee had, by their Report, informed the House that scenes had passed during the last election at Nottingham, of the greatest outrage, by which the freedom of election was grossly violated; that no effectual means had been taken to put a stop to the riots; that the magistrates of Nottingham had proved inadequate to discharge the trust delegated to them by high authority. In such a case it could not be contended that the Crown might not depute others, or that the power should continue vested exclusively in those who had already shewn themselves incapable of their duty. It was much against his will, and to his great surprise, that the antecedent riots had been introduced in the examinations before the committee, and it had been found necessary often to interrupt counsel on that account; but it was then necessary to explain certain cant terms in use at Nottingham, such as punch, &c. &c. A self-constituted tribunal also existed at Nottingham, which required explanation. These facts, fully authenticated, appeared to the committee to require a remedy. It would be for the House to judge, whether the measure proposed would be adequate. As to the inability of the magistrates of the county, alluded to by the Hon. Gent. that would easily be refuted, when it was considered, that they could carry the *posse comitatus* into the town to maintain the peace; and he should rejoice to see such a force employed on such an occasion. After several other observations equally forcible, the Hon. Gent. concluded, by stating, that he thought sufficient ground had been laid for the measure.

Mr. Frankland agreed that the outrages of the mob, and the corruption of the magistrates, called for some effectual measure. Besides, the jurisdiction of the town magistrates was limited, and culprits may escape if the bill now proposed were not adopted to give the county magistrates a right of acting. —Leave was given.

HOUSE OF COMMONS.

Thursday, April 21.—(See Minutes, p. 671.)

[Mercantile accommodation.]—A motion being made that the House resolve into a committee of the whole, on so much of the King's speech of November last, as relates to this subject—General Gascoigne said, that after having had so long ago a communication from the Throne, on the state of affairs, and hearing the speech of the Minister, the other night, on that subject, in answer to a few words from himself (Gen. Gascoigne), and an Hon. Friend of his (Col. Patten), he had postponed the motion, of which he had given notice, for an inquiry into the state of the

nation, he should not now enter at large upon that subject, although, in strictness, it would have been regular in him to do so, because, upon any proposition that had for its object the laying any imposts upon the people, a Member of the House of Commons was entitled to look at the state of the imposts already laid, and how they bear upon the people; but although he intended to forego this privilege, he could not pass the subject over without notice, and therefore he should make some observations, notwithstanding the remark of the Rt. Hon. Gent. who was pleased to say, the other night, that he did not see the connexion between the measure now proposed and that of a consideration of peace and war: on this matter he differed from the Rt. Hon. Gent. By a paper printed by order of the Lords of the Treasury, he received some information, and from which he had no doubt it was intended to propose an increase of duty on the commerce of this country. Whether it was to be a new measure of duty, or that of increasing an old one, was not worthy of discussion, in his mind, because that was a distinction without a difference. Any subject which had for its object any increase of such duty, would admit of an extensive debate; for, however certain it was, that the power of disposing of the question of peace and war rested with the Crown, yet it was as certain that the control of that power, in granting or withholding supplies, vested in the House of Commons; and in exercising that most important function, the House would not only look how the revenue was to be applied, but would also consider the state of the nation: he said this, not for the purpose of preparing the way to general observations at this time, but merely to recognise the right of doing so, in the discussion of any subject of impost upon the public. He could not help considering this matter, although in terms only a motion to consolidate the public duties, as a measure intended to increase them, and he had no doubt it would operate on the articles of trade. There was to be a duty of 3½ per cent. proposed on the present duty; in some cases it would operate as a duty of 15 per cent. on the present duty. But this was not all the objection; for the tax on tonnage, which was a tax laid on by way of experiment, was now intended to be made permanent.—Now, after the very candid behaviour of an Hon. Member, who was not now present (the Lord Mayor), he did not think it proper to include that matter in the present discussion, since that Hon. Member had a proposition to submit on that subject. And in reply to the observations of the Minister on his (General Gascoigne's) observation the other night on his candour, he would say, it would be more consistent with the candour of the Rt. Hon. Gent. to stay until that Hon. Gent. should make his proposition, or at least to defer this matter until after the communication which he promised on the state of public affairs should have been made, that the House and the public might see, and be enabled to judge of the state of public affairs. But he understood it was intended by the measure about to be proposed to the committee, to furnish ways and means to pay the interest of the money expended in the present armament. Before this was done, it was material to consider whether these duties were such as applied to war or peace, for there was a material distinction in this respect. Duties might be objectionable in peace, which might be submitted to without objection in time of war. How far that was the case here, he could not now attempt to say, but he thought it would be better, at all events, to delay the measure for a day or two, and until after the promised communication of the Minister on the state of public affairs was made to the House. It was not his intention to oppose the principle of the measure at present, and he wished it to be perfectly understood, that he should take an opportunity of hearing the opinion of those who were best qualified to form an opinion, and for whose interest it was his wish to act in particular, as well as for the general interests of the empire, before he took any decisive course whatever; all that he asked now was, that the Minister would not press this measure in any of its future stages without affording ample time for considering it.

The Chancellor of the Exchequer said, that the Hon. Gent. who had just sat down, had, as it appeared to him, very wisely changed his intention as to the subject now about to be submitted to the House, as it related to a part of his Majesty's most gracious speech from the Throne in the month of November last, and which he had now the honour of submitting to the House. The Hon. Member had said, that from a schedule he had seen, the present object was that of an increase of the public revenue:—in this supposition the Hon. Member was completely mistaken; that was not the object of the measure—its object was to simplify the collection of the duties of customs, and thereby, also, to make some addition to the public revenue, in the same manner as it was made in the year 1787, when the question of peace and war, to which the Hon. Gent. had referred, did not in any degree agitate the feelings or the interests of the public. The Hon. Gent. had said, that on a former day, he (Mr. Addington) gave the House reason to expect, that in a few days he should make a communication on an important subject. He certainly did say he had hopes of being able to make a communication on a subject interesting to the feelings of the House and the public, in the course of a few days; but he also said, at the same time, that it was impossible for him to pledge himself, and that he did not pledge or commit himself upon that subject. His object then was to take care not

to endanger the public interest, either by a premature discussion, which must have been the case in the absence of communication, or to endanger the public interest by a precipitate communication: but, from the very nature of the thing, it was impossible for him to make any pledge upon the subject; nevertheless the Hon. Gent. had seemingly inferred, and others had industriously propagated as well as inferred, that what was represented by him on that occasion was, that which would give satisfaction to the House and the public on the subject. He did not say a single word to that effect. He said, he should, he believed, be able in a few days to make a communication to the House, and that he thought would be necessary, because he felt the inconvenience and more than inconvenience of suspense; but as to the nature of the communication which it was probable he should be able to make, he not only did not say any thing, but he was not able to say any thing. He should not now say any more upon this subject, but propose, that the House should go into a committee on the subject he had moved; and if the House should assent to that, he should shortly open the outline of the measure he had to propose.

The question was then put and carried, and the House resolved itself into a committee of the whole House accordingly.

The Chancellor of the Exchequer then said, that the object he had in view, was to submit to the consideration of the committee, means to simplify, consolidate, and amend the mode of collecting the duties of customs, and he wished to conform to the communication of his Majesty, in his gracious speech from the Throne, in the month of November last. He wished the committee to understand, that the proposition he had to submit, was part of a system already adopted by the Legislature, the object of which was to consolidate, simplify, and amend all the laws which relate to the revenue from customs, in every branch of that public revenue, and to remove every obscurity, embarrassment, or difficulty in its collection, to render the appropriation of each part of it, clear, precise, and uniform, as well as to facilitate the mode of its collection, both with regard to those who collected these duties, and the public. The measure he had to submit to the committee, was founded on the same principle as that which produced the act of 1787. After giving a short account of the mode of collecting duties, as established in the time of King William III. and the establishment of the consolidated fund, and also of the appropriation of a certain revenue to provide for services within the year, he proceeded to observe, that what he had to suggest was, that all the duties of customs, which are now raised under no less than 170 acts of Parliament, should be consolidated; that in some cases where a consolidation took place, if there should be a fractional sum payable on a particular article, it should be raised to an integral sum above it, and in others be reduced to an integral sum below it. Some articles in the book of rates of duty having become obsolete, were to be omitted; and on others an *ad valorem* duty was to be imposed; and also for the sake of regularity in the entries, &c. a very small duty was proposed to be laid on all articles which at present were imported duty free. With respect to the detail of the measure, he should like to spare time by passing it over for the present, unless it was the wish of the committee that he should enter into it, because he was desirous that every Member should be in possession of the schedule, which the Hon. Gent. who spoke last, acknowledged he had seen, before the subject should be discussed in detail; and as to the principle of the measure, he did conceive, that as it was to improve the collection of the revenue, there would have been no difference of opinion upon it.—There might indeed be some difference of opinion on the quantity; and on that he did not ask for any opinion until every Gentleman had an opportunity of considering it with minuteness. It was proposed that most articles imported from the East Indies, with the exception of sugar, should be charged with the same duties as articles from other quarters. As to the West Indies, to use the phrase of his predecessor, it was proposed to put a mark, but not an invidious mark of preference to those of the West Indies, but not such a preference as might have the effect of discouraging the productions of any other part of his Majesty's dominions. Another object of the present measure was, that of further counteracting the practices of smugglers, which, notwithstanding the prohibitions and heavy penalties attached to them by enactments in our statute-books, still continued. It was his object not only to discourage this by regulations of duties, but also to afford more ample protection to our trade and commerce. Gentlemen had said, it was material that merchants should be consulted on this subject before it should be proposed to the committee—that it was too important to the interests of the country to be adopted without submitting it to the judgment of those who had the best experience upon the matter. He understood the Hon. Gent. who spoke last to have said so; but whether that understanding was right or not, he thought it material to state, that he had endeavoured to obtain the opinions of persons of the greatest experience on every part of the measure which he was now about to submit, and that had it not been for his having waited for such opinions, this measure would have been long ago submitted to Parliament. It had also been submitted to the Boards of Customs and of

Trade, and he had reason to believe, that although some difference of opinion had arisen on a few articles, yet on the outline very little difference of opinion had been entertained indeed, for it was to simplify the regulations of articles, the number of which was near 6000. As to the precise amount of the duties, he had nothing to say at present, for that was to be the result of communications and conferences with persons of the first ability upon the subject. Much labour had been already bestowed on this subject, and he trusted the committee would allow him to adopt the course which was formerly adopted by his predecessor in the year 1787, and also in the act of Union between this country and Ireland; namely, that of introducing the several heads of regulation in the form of a schedule, instead of proposing a distinct resolution on each separate article, for in that course the House would have to consider little less than 6000 resolutions; whereas, by referring to a schedule containing them all in their different classes, they might be comprehended in a few votes. But here it was fit for him to observe, that he should not do justice to the labour and abilities that were employed in the forming of this schedule, if he were not to acknowledge, that the merit of it was chiefly owing to a Gentleman of great knowledge and indefatigable attention—he meant Mr. Frewin, than whom, a more constant, accurate, and faithful servant was not in his Majesty's employment. He wished the committee to understand, that this measure, if the House should countenance and adopt it, was preparatory to another measure, of which he gave notice before Christmas, on the subject of warehousing and bonding. If this measure should pass, as he hoped it would, it was his intention to propose also a measure for that purpose. The examination of the schedule, and the investigation of many points to which the attention of the committee would be called, had impressed him with sentiments of admiration of the extent and vigour of the commerce of this country; growing out, as he knew it had (although commented upon, if he might be permitted to say so, irrationally), of capital that was unexampled in its amount; out of laws and regulations for promoting and encouraging industrious traffic; and out of a credit which was founded on good faith and personal integrity, upon the true character of the people of this country, that good faith between man and man, which was the foundation of its wealth, and main cause of its prosperity. It was thus that our commerce, while it afforded large and liberal aids to the exigencies of the public service for the last ten years, had yet continued to increase so rapidly, that the revenues of the customs had nearly doubled in that time, and the other branches of our commerce were increasing, particularly our navigation. This shewed us the abundance of our resources, and manifested the radical strength of the country; for we find our resources increasing under the pressure of unexampled difficulties, and before unheard-of trials. This shewed the confidence which we were all warranted in feeling, and the public credit which might warrant us in triumph. He then read the first resolution which he intended to move upon this subject, for carrying into effect that which he had stated, and then said, he wished the committee to understand that he was now pursuing the same course as that which was proposed by his predecessor, and adopted by the Legislature, in comprising the different heads of articles intended to be regulated, in a schedule. Should the committee approve of this course, he should propose that an interval should be afforded to consider the schedule, and then that the Chairman should ask leave to sit again; and therefore, if the committee should approve of this resolution, he should move that the Chairman do report progress, and ask leave to sit again; but he should not propose that the committee should sit again before this day se'nnight. The Hon. Gent. (Gen. Gascoigne) seemed surprised that he should propose so early a day for that purpose; but the session was advancing, and this and other business could not be passed over to another: but if the interval now stated should be found insufficient, he should not only be ready, but desirous, to assent to a proposition for further time. As to the tonnage duty, he should be extremely sorry to be thought wanting in candour towards a worthy magistrate (the Lord Mayor of London) in proposing that which might be the subject of his motion; but he had put off becomingly, if he might be allowed to say so, the investigation of a question which, in one way of deciding it, might operate to the diminution of the public revenue. Was it therefore fit that he should exclude from his plan that which had been the subject of public notice, and had occupied a great part of his attention for the last six months? Besides, that worthy magistrate, as well as every other Member, would have ample opportunity of delivering his sentiments on that very subject when it came to be discussed as a part of the measure now proposed: no part of it could pass without being canvassed; and the very step he was now taking, was for the purpose of affording a proper opportunity of discussing every part of it; and this he did the more readily, because there was no point to which he should not wish to call the attention of the committee, in the whole schedule which he was about to submit to its consideration.

Mr. Burdon said, he hoped, from the importance of the subject, sufficient time would be allowed to consider it, before the House was called on to pass the bill. From the best information he could get on the subject, he thought some amendments might be made relative to the tonnage duties: it was highly necessary that the schedule should undergo a

fair investigation before the sanction of the House was given to the measure proposed by the Rt. Hon. the Chancellor of the Exchequer.

General Gascoigne said, notwithstanding what the Rt. Hon. the Chancellor of the Exchequer had said, in answer to his observations, he was surprised that the present measure was proposed to the House, before some account relative to the state of the country had been given, in order to satisfy the public mind. It had been said, that schedules have been circulated throughout the kingdom, but he had only seen one, which had undergone many alterations; and he had been informed by his constituents that they had not received a single schedule. He must again repeat, that he understood the Rt. Hon. the Chancellor of the Exchequer to have said, that he hoped to give the House a satisfactory account relative to the state of the country; and he was sure that many Hon. Gent. had received the same impression, from the language the Rt. Hon. the Chancellor of the Exchequer had used a few days back. But as far as related to the consideration of the present measure, he thought it would be better to postpone the time for going into a committee on the bill to this day fortnight.

The Chancellor of the Exchequer said, that the question now before the committee was, whether they would agree with the resolution which was proposed; and the period when the committee was to sit again, could only be determined after the Speaker had taken the Chair. If the Hon. Gent. would assure him *bona fide* (and he was sure he would not assert it in any other way), that the addition of a few days would enable his constituents more fully to investigate the subject, he would not be unwilling to accede to a delay of a few days. The Hon. Gent. seemed to suppose that he was desirous of precipitating the public business, with a view of a speedy prorogation of Parliament; but he could assure that Hon. Gent. that there was public business enough before the House to afford a prospect of its sitting as long as he could wish.

General Gascoigne said, his constituents had certainly not seen the schedules, and he thought it was necessary that they should have time enough to consider the nature of the schedules, after they get possession of them.

The Chancellor of the Exchequer said, he begged the Hon. Gent. and the House to understand, that he had in no degree varied on this occasion from what he had said upon a former day, respecting a communication to the House. The schedule of the duties had been made and circulated three months ago, but some alterations having been made in it, it was reprinted, and the last schedule had been in circulation above a month. If the Hon. Gent.'s constituents had not seen it, it was not the fault of his Majesty's Ministers: he would not take upon himself to say with whom the fault rested. With regard to what the Hon. Gent. had said about the duties being raised in some instances higher than to the next integral sum, the committee must be aware that he (the Chancellor of the Exchequer) could have no intention of deceiving them upon the subject, because the whole subject was minutely detailed in the schedule. In some few instances the duties were raised higher than to the next integral sum, and in other instances they were reduced much lower; but in general the whole plan was founded upon the principle adopted in 1787.

Mr. Vansittart said, there were only four instances in which the present schedule varied from the one which was printed and circulated three months ago. The four articles in which alterations had been made, were pimento, sugar from the East Indies, unmanufactured articles, and horses imported from the East Indies.

The resolution was agreed to, the Chairman reported progress, and the committee was ordered to sit again on Monday se'nnight.

HOUSE OF COMMONS.

Friday, April 22.—(See Minutes, p. 671.)

[Ilchester election.] — Mr. Smith moved the order of the day for taking into further consideration the Report of the committee appointed to try the merits of the Ilchester election petition. This motion being agreed to, Mr. Smith next moved that the resolutions be now read a second time; which being done, the Hon. Gent. proceeded to observe, that in compliance with the instructions of the committee, he had laid before the House the evidence that was brought forward in the committee: that evidence contained parts which proved that a conspiracy had been formed to employ undue influence in returning members for the borough of Ilchester, and that flagrant acts of bribery had been resorted to in consequence of that conspiracy. On the nature of the offence which the evidence proved to be committed, he should withhold all observation: when it appeared fully proved to the House, they would no doubt shew the sense they entertained of its deep criminality by the severity of the punishment which their justice would inflict upon it. The evidence had been long before the House, and every Gent. had full time to make himself master of it. They were, therefore, enabled now to decide on the question, and that with due regard to that justice which individuals had a right to claim in a matter in which the essential interests of the country were also involved.

He should first move a resolution similar to that contained in the Report, viz. that such a system of corruption and of bribery was laid open in this transaction, that it called for the most serious consideration of the House. This motion he should follow up with others, the object of one of which would be, that the House do order his Majesty's Attorney General to prosecute the persons who were guilty of this offence.

Mr. Wallace said, that as the Hon. Mover had opened a string of resolutions, he thought it was competent for him to direct his observations to any of them. It did not appear to him that the House could proceed to instruct the Attorney General to prosecute any individual, or set of individuals, until the grounds for issuing such instructions were fully substantiated. Besides, no opportunity had been given to Mr. Davison to make any answer to the charge that was brought against him. Would the House act like a Grand Jury, and find a bill on *ex parte* evidence? The only evidence against him was that of an accomplice, and upon the evidence of an accomplice the House surely would not act, unless it was confirmed by other evidence. The Hon. Gent. then entered into a variety of strictures on the character and conduct of Mr. Oldfield, and endeavoured to shew how little stress should be laid upon it. The acts of bribery were committed in April, but Mr. Davison was known to declare in the preceding March, that he had relinquished all idea of becoming a candidate for the borough. He would not, indeed, deny, that there were proofs that Mr. Davison intended to bribe and corrupt the voters; but no proof whatever went to shew that he attempted to carry that intention into execution in any one instance.

Mr. Burdon contended that the evidence before the House was of the most clear and distinct nature, and he was sorry that the arguments that were urged seemed entirely directed to cover an individual. As to the first resolution, he could not see why it should be negatived; for that might be agreed to without convicting Mr. Davison, whose conduct should not be coupled with that of the other persons against whom the evidence was so direct. He made no doubt but they might be convicted on the evidence; but when the resolution was put, he hoped that the name of Mr. Davison might be expunged.

Mr. Johnstone said, that he had paid the most strict and diligent attention to every part of the evidence, and, from the impression it left upon his mind, he could not but think that it clearly affected Mr. Davison. Mr. Davison concurred in all the suggestions started by Oldfield; and though the whole plan might not have been carried into execution, yet there was scarcely any change made in it, except as to the mode of more effectually distributing the money; nor had he a doubt but Mr. Davison concurred even in that alteration of the plan. How the committee could have discharged their duty, unless they put Mr. Davison on his trial, he was at a loss to see. So much at least he felt himself bound in conscience to say as a member of the committee.

On the resolution being put, that the Attorney General be instructed to prosecute Alexander Davison, for the acts alluded to in the former resolution,

Lord Cole said, that it appeared from the evidence that Mr. Davison had attempted to corrupt other boroughs; that, indeed, he had acted as a contractor for boroughs. If he was not to be prosecuted, neither should any of the other persons implicated in the offence, for he could not well see any difference between conspiring to bribe and corrupt, and carrying the intention and plan into execution.

Mr. Sheridan could not see that there was any proof of the strong nature alluded to, which went to implicate Mr. Davison. If such a case, indeed, could be made out, no doubt the sentence of the House must fall upon it with all possible severity. Some Gentlemen were much inclined to believe the evidence of Oldfield; but why should they hesitate to believe the declaration of Mr. Davison? Was it consonant to the law of England to convict of an intention? Was it not facts that the law took cognizance of? He must admit, indeed, that Mr. Davison had betrayed an intention to bribe; but no one circumstance appeared to prove that he followed up the plan ascribed to him. On the contrary, there were strong presumptions that a different plan from that imputed to Mr. Davison was adopted. The plan that was adoped failed, even in a great measure from want of money, a difficulty which it could not be supposed that Mr. Davison laboured under. Mr. Davison abandoned the plan altogether; and if the matter was more minutely examined into, it would appear, as indeed it did appear, from the evidence of Mr. Hopping, that the election was carried on neither on the plan, the money, or for the candidates of Mr. Davison. Neither was there any attempt to prove that the land or the houses, upon which so much stress was laid, were now the property of Mr. Davison. If he has been guilty of corruption for electioneering purposes, he sincerely wished that Mr. Davison's case was a singular one. But before the House proceeded to convict him of that guilt, he trusted no Gent. would give a vote upon the question who had not minutely attended to the evidence.

Mr. Vansittart said, that whether the evidence was allowed or not directly to attach on Mr. Davison, he would not pronounce;

yet more than sufficient appeared to involve him in the guilt. It was pretty evident that, subsequent to his declaration, steps had been taken by him to execute the proposed plan. Three days before the election the candidates were not known, yet by those unknown candidates money had been distributed; and from whom did it come but from Mr. Davison? It was said that Mr. Davison had no opportunity to exculpate himself. Did not the evidence contained in the Report go forth with perfect notoriety? Why, then, did not Mr. Davison get a petition presented to the House, if he was conscious of being able to produce evidence in his exculpation that would overpower that which was adduced to criminate him? Much was wanted to give strength and weight to what has been urged in his favour.

The Master of the Rolls deprecated the interference of the House in the manner proposed. It did not appear to him becoming its dignity or justice to concern itself in the affair of an individual in such a way as might operate to bias the minds of a jury, by prejudging a case which was to be made the subject of legal investigation. If the House should so proceed, it might happen that two prosecutions would come before the courts for the same offence; for the Attorney General had no control over the popular informer, who was, by the statute of George II. enabled to bring forward a prosecution for bribery, and by whom he understood that actions were already commenced against Mr. Davison for penalties to the amount of 48,000*l*. This circumstance, he conceived, ought to serve as a strong inducement to the House to decline the mode of proceeding recommended by the motion of his Rt. Hon. Friend; but, independently of this consideration, he thought, on the ground of prejudging the question, the motion ought to be rejected. It was notorious, that the courts were so tenacious that no improper prepossession should be made on any case submitted to their deliberation, that any thing designed for that purpose was prohibited; it was known that they had taken notice of even handbills, and statements supposed to have that tendency, lest they should have any influence on a jury: and what, he would ask, could have such important influence on the minds of any jury, as the opinion of the House of Commons? There was, he was confident, no instance upon the Journals similar to that now proposed, of the Attorney General being directed to prosecute for an offence which was already under prosecution before the courts. The objections he entertained, he wished it to be understood, applied equally to the proposed prosecution for conspiracy as to that for bribery. Indeed, it did not appear to him that the evidence would be sufficient to sustain the charge, for no proof was given of any act done in pursuance of the conversation at West Camel. In order that no direct opposition should be given to the opinion of the committee, and as the most becoming way to get rid of the subject, the Hon. Member concluded with moving the previous question.

Mr. Fox expreſſed his concurrence with most of the arguments advanced by the Learned Member who had last addressed the House, and owned, that nothing appeared to him more correct than the motion he had submitted, for when the House did not approve of a proposition, or did not wish to go immediately into it, nothing was more proper than to move the previous question, which did not preclude the subsequent discussion of the same subject, if any Member should think it necessary to bring it forward. It left the case quite open for any future proceeding that justice might call for.

Mr. Bragge had no objection to the motion for the previous question, provided it was understood that it should not preclude the House from taking any proceeding which the nature of the case might hereafter call for, in pursuance of its own resolution, which could not consistently be abandoned. He was not unwilling to wait the result of the actions which were said to be pending against Mr. Davison, but those actions might be collusory; and suppose he were acquitted upon them, would it be becoming the importance of the House to be controlled by such discussions, or implicitly to abide by them? On the part of the House he protested against such an idea.

Mr. Grey was surprised that any Member, at all acquainted with the rules and practice of the House, could consider any express understanding necessary to know that the adoption of the previous question was nothing more than a postponement of the debate, and did not by any means preclude the House from subsequently taking any step in the same question they might think expedient. With respect to the measure recommended by the committee, it did not seem to him calculated to meet the mischief of which they complained. That the most flagrant corruption prevailed in the election of Ilchester, to which the Report referred, was a fact that could not be denied; but it would not materially avail to prosecute the agent of corruption, while those who were willing, or rather anxious to be corrupted, remained untouched, and retained the power of vitiating the freedom of election. The committee, in his opinion, would have acted more wisely had they proposed a remedy with respect to this borough, such as was adopted in the case of Cricklade, when the right of voting was extended; or that of Shoreham, where the voters who had accepted bribes were disfranchized. He hoped, however, the House would not lightly pass over

this business, nor suffer their resolution to be nugatory. It was a case of that nature which ought not to be winked at, or allowed to escape in silence.

Mr. SMITH stated, that the committee were quite ignorant that any actions were commenced against Mr. Davison, as his Rt. Hon. Friend had stated.

The MASTER of the ROLLS observed, that he was informed of the actions having actually commenced.

The CHANCELLOR of the EXCHEQUER coincided in the observations of the Hon. Gent. (Mr. Grey), that this was a question which called for the fullest investigation. The House unquestionably stood committed, and it would be disgraceful to abandon the resolution recorded in the Journals. Not having read the minutes of the committee, he could not now pronounce any opinion upon the proceedings which it might be advisable to adopt; but he thought it right that the House should appoint some future day to take the subject into consideration, otherwise it might be supposed without doors that it was altogether dismissed, and that the House declined to follow up its own resolution. He therefore moved that this Report be taken into farther consideration on Monday fortnight.—Ordered accordingly.

HOUSE OF COMMONS.

Thursday, April 28.—(See Minutes, p. 810.)

[CAPE OF GOOD HOPE.]—Lord FOLKESTONE rose, pursuant to the notice he had given, to move for certain papers, with a view of obtaining information respecting the events that have occurred at the Cape of Good Hope. He wished, before he made the motion, to observe, that he had no desire, by this motion, to interfere with the negotiations which were now carrying on between the Government of this country and France; nor had he any wish to call for any information which, under the present circumstances, his Majesty's Ministers might think it improper to give; though, perhaps, it might not be improper if the House were to call for such information, with a view of rescuing the business out of the weak hands in which it was now placed. But as it was not his wish to urge on a discussion upon the general subject of the negotiation, if his Majesty's Ministers would say that the production of the papers he now called for would in any degee interfere with the negotiation that was pending, he would immediately withdraw his motion, and drop it altogether. If, however, this assurance was not given, he would persist in the motion. There was another thing which he wished to premise, and that was, that in discussing this subject, he should be obliged to refer to a species of information which he was sorry to be obliged to refer to, viz. the French papers. Considering the ignorance in which the public had been for some time kept, upon what was going forward, Gentlemen must either be content to know nothing, or to have recourse to the French papers for the official documents which they contained. The reason why he wished the production of the orders which had been sent out relative to the Cape of Good Hope was, that the House should really know what the fact was. He had heard, that at different times different orders had been sent out: at one time it was determined to give it up, and at another it was to be kept, without any reason whatever being assigned for it. After the signature of the treaty of peace, orders were sent out to deliver up the Cape; afterwards, in the month of October last, when there was a considerable ferment in consequence of the invasion of Switzerland by France, orders were sent out that the Cape should not be given up. He did not know these circumstances from any official account published by his Majesty's Ministers, but from the accounts published in the French papers. In point of fact we did not keep the Cape; it was a kind of recapture, and there was a regular capitulation. He was anxious that the country should be acquainted with all the facts upon this subject, because it proved such a wavering in the councils of this country, that the House had a right to full information upon the subject. There was another reason why he wished for the production of the orders which had been sent out, and the dispatches which had been received, and that was, to have an opportunity of comparing dates. He wanted to compare the date of the dispatches which informed Ministers of the detention of the Cape, with the date of his Majesty's message to that House, because he did believe that those dispatches conduced to the message, and the consequent armament. The King's message was delivered on the 8th of March, stating that discussions were pending between this country and France, and that armaments were preparing in the ports of France and Holland. The French official paper denied that any discussions were pending, and indeed he did not see what discussions could be going on except with regard to the Cape. As to the armaments in the French ports, they were nothing more than had been carrying on for some time. But it was generally supposed that the discussions were relative to the island of Malta. Upon this point he wished to observe, that in the *exposé* of the French government, in which they gave an account of the situation of the country, it was stated that the English still retained possession of Alexandria and Malta, but that the ships which were to convey home the garrisons of those places, had arrived in the Mediterranean. In the correspondence betwee

Sir A. Ball and Mons. Bussy, it was contended by the latter, that the English had, as long ago as the month of June last, consented that the Grand Master should be elected by the Pope, which had been done; and that as to the guarantee of the great powers of Europe, they were to be solicited to guaranty the independence of the island, but that such a guarantee was not absolutely necessary. He did not state this as his opinion upon this question, because this was not the proper time to enter into it, though he had formed a decided opinion upon it. He did not urge this with a view to extract information from Ministers, but to shew that the discussion could not be about Malta, and consequently to strengthen his argument for the production of the papers relative to the Cape of Good Hope. He again repeated, that if Ministers would state, that any public inconvenience would arise from the production of the information he required, he would not press his motion; but if they did not state that, he should move, "That there be laid before this "House a copy, or copies, of all orders sent "to the Cape of Good Hope, respecting the "surrender of that colony, since the signature "of the treaty of peace with the French re-"public: together with a copy, or copies, of "all dispatches relative to the surrender or "detention of that colony, as received by "the commanders of British forces by land "or sea there, and the times when they were "received from his Majesty's Ministers—Also "an account of all discussion, if any, which "has taken place between his Majesty's Mi-"nisters and the French government, respect-"ing that colony, since the signature of the "treaty, previous to the last order sent out "for the surrender of the same."

The Chancellor of the Exchequer said, the Noble Lord must forgive him if he observed, that there was a strange inconsistency between his declaration at the commencement of his speech, and the arguments which he had used in the course of it. The Noble Lord stated at the beginning of his speech, that he did not wish to bring forward in his motion the general points which might be supposed to be in discussion at present between this country and France, more especially as an Hon. Gent. had given notice of a motion which would embrace the whole subject. After making this declaration, the Noble Lord bestowed a considerable part of his speech to prove that the only subject in dispute between this country and France must be the Cape of Good Hope; and in the concluding part of his motion, he desired to know what were the discussions going on between this country and France relative to the Cape; so that the Noble Lord first declared that he did not want to extract information respecting the discussions now going on: then he endeavoured to prove that the only discussion going on must be about the Cape; and lastly, he moved for an account of the discussions which were going on respecting the Cape. He was therefore, he thought, justified in stating, that there was a considerable degree of inconsistency between the professions and the speech of the Noble Lord. But surely, if the Noble Lord had been aware of the general acceptation of the notice which had been given by an Hon. Member (Col. Patten), which embraced every object of public concern, he would have abstained from any specific motion. He really had entertained a hope that, under the present circumstances, such motions as the present would not have been made. He was by no means disposed to deny that the subject to which the Noble Lord's motion referred, was one upon which the House had a right to expect information and explanation. It was one upon which his Majesty's Ministers were anxious to give information, when it could be done without prejudice to the public service. With this view of the subject, he could not consent to negative the motion: on the other hand, he could not accede to it, because it would require explanations that could not be given under the present circumstances, without inconvenience to the public service. He should therefore move the order of the day, or the previous question: he was inclined to prefer the former, because he could not approve of the form of the motion—he should therefore move the order of the day, declaring again, that there was no inclination on the part of his Majesty's Ministers to keep back any information that could throw any light upon the subject, when that information could be properly given. With regard to the form of the motion, he suggested to the Noble Lord whether it would not be better to put it into the form of an address to his Majesty.

Lord Folkestone said, if it was more consistent with the forms of the House, he had no objection to move it in the shape of an address.

Mr. Windham said, he merely rose to remark, in answer to what had fallen from the Rt. Hon. Gent. who had censured his Noble Friend for some supposed inconsistency in his speech, that there appeared to him no ground for such a charge. His Noble Friend did not say, that he would not press his motion if it had any connexion with the discussion going on between this country and France; he had merely said, that he would not press for the disclosure of any information that might be prejudicial to the public interest. He was therefore at liberty to conjecture what were the points now in negotiation. With regard to the notice which had been given by an Hon. Member, he did not consider that as any argument against his Noble Friend's motion; on the contrary, if the

general subject was to be discussed, it was a strong reason why as much previous information should be obtained as possible. If Ministers would state that the production of this information would be injurious, in that case the House must wait until the proper time when the information could be given, resting, in the mean while, upon the responsibility of Ministers.

Lord HAWKESBURY said, he was not in the House at the commencement of the Noble Lord's speech, but certainly he had very serious objections to the motion as it was worded, and connected with what he had heard of the Noble Lord's speech. He had stated that it was not his intention to embarrass the negotiation, and yet the latter part of the motion went to call for information respecting the discussions relative to the Cape. Now if this was one of the subjects under discussion, as the Noble Lord supposed, it would be impossible to produce the information required by the motion, without going into explanations of other points which might be in discussion. He did hope, that under the present circumstances, detached motions of this sort would not have been brought forward. The House and the country had a right to expect all the information that could be given as to the way in which the affairs of the country had been managed for some time past. But the way of obtaining that information, and of forming a good judgment upon it, was to have the whole subject before them at once, and not by taking up detached and unconnected points. Conformably with that principle, he thought it would have been better to wait until a communication was made, or until some general motion was made, which would bring the whole subject at once before the House. He begged, before he sat down, to observe, in reply to what had fallen from the Rt. Hon. Gent. who spoke last, that his Rt. Hon. Friend had not said the production of the papers moved for would be prejudicial; he had merely said, that the production of those papers might lead to a discussion and explanation, which might be productive of public inconvenience. It was not proposed to negative the motion, it might therefore be brought forward at any future time.

Lord FOLKESTONE spoke shortly in reply: he said, he was not bound by any notice which might have been given by any other Member, and observed, that great inconvenience might result from the practice of giving notices of motions.

Mr. Fox said, that there was no want of candour, as he conceived, imputable to the Noble Lord who had brought forward the motion now, for the manner in which he had done it; but although he felt that impression, he could not support the motion at present; and he rose for the purpose of stating in a few words, why he should concur in the motion for the previous question, or in any other that might be the best mode of setting it aside for the present. He agreed with the Noble Lord in what he had stated about the Cape; it was a subject fit to be examined—he apprehended that every body was ready to agree to that proposition: but the question was, whether that examination should be on this day or not. If the House had agreed to the motion for an inquiry into the state of the nation, then the inquiry now proposed would have been fit as a part of that general inquiry; because that would be entering into the detail of a matter, the principle of which had been admitted. But whether, in the present state of the nation, the House ought now to enter into an inquiry into the conduct of the King's Ministers respecting the Cape—whether it was the best mode to take a view of that question, as the Noble Lord's motion pointed out, or to wait until the House had decided on the general question of an inquiry into the state of the nation, was for the House to determine. Now, upon that point he had no difficulty whatever. There was another consideration, which was, in his opinion, preliminary to this: the general state of the nation, in the first place; secondly, perhaps, the conduct which led to the situation in which we are. These general points ought, as he conceived, to be disposed of, before any question in detail should be discussed. This appeared to him to be obvious. If it should be the opinion of the House, it is not fit at this moment to enter into an inquiry into the state of the nation, then undoubtedly the present motion will have been premature, inasmuch as it must be improper to enter on a detailed part of an inquiry, the whole of which would, in the opinion of the House, have been unfit. If the whole ought to be negatived, undoubtedly a part of it could not properly be entertained. If, on the other hand, the House should agree to institute an inquiry into the state of the nation, then this motion, as a part of the detail of that inquiry, would become a very proper and a very important part. As to the general subject of inquiry, his opinion was, as it generally had been, that the House of Commons ought not to be timid in asking questions of Ministers, neither should it screen itself from the execution of its duty, by desiring Ministers, and relying on their responsibility, to do theirs. He had always been of opinion, that the House should take upon itself the task of advising the Crown in almost all cases whatever of difficulty; therefore, if the House should, as he was inclined to wish, enter into an inquiry into the state of the nation, this motion would be premature, because the general inquiry appeared to him to be preliminary to any particular detail of discussion. He thought to throw out these few hints upon the course of discussion, but

there was no ground whatever for saying that the conduct of the Noble Lord was not candid.

Mr. MARTIN said, that the Hon. Gent. who spoke last had used an expression, of which he could not help taking notice. He did not mean to pay the Rt. Hon. Gent. (the Chancellor of the Exchequer) any compliments: since he had been in power, he (Mr. Martin) had bestowed his best attention to his conduct, and he conceived that that Rt. Hon. Gent. had acted with integrity and propriety. But, with regard to his responsibility, Mr. Martin said, "I have now been a good while in this House—I have heard 'responsibility' often used, but never to any effect: with regard to the responsibility of Ministers in this country, I would not give twopence for it."

HOUSE OF COMMONS.

Friday, April 29.—(See Minutes, p. 811.)

[NOTTINGHAM ELECTION.]—Mr. HAWKINS BROWNE said, before he moved that the bill should go into a committee, he should trouble the House with a few observations on the subject, and on the remarks of the Learned Counsel. It had been said by the Learned Counsel, that no particular charge had been made out against the mayor and magistrates of Nottingham by the evidence adduced in the committee, to prove that they had taken an active part in the riots, and were guilty of wilful neglect; but in answer to that Learned Gentleman's remark, he would say, if the evidence had gone to prove that the magistrates had violated the law to that extent, he should have taken a different measure, and have brought them before a court of justice; but it was a different species of impropriety that they were accused of, and that was, a shameful partiality in favour of one candidate, and a neglect of duty in not endeavouring to subdue the riot which took place during the election at Nottingham, and which he had no doubt they might have done if they had been so inclined. The evidence called before the committee not only proved, that dreadful riots took place during the election, but on all occasions in that town: it was therefore necessary some measure should be adopted for the safety of the public. The bill now before the House goes to destroy those scenes of disorder and wickedness which have been the companions of the town of Nottingham too long; and he did not doubt but it would tend to produce that comfort to the inhabitants, to which they have been a considerable time strangers. He could not suppose that any Gent. in that House would take it upon himself to say, that dreadful riots have not existed in Nottingham; and therefore, that being the case, he thought every Member would allow that some measure ought to be adopted, to keep the peace of the corporation and county; and therefore those Gent. who object to the present bill, should suggest some measure to render the inhabitants secure from riots and continual disturbance. He would assure the House, that if the present bill passed into a law, and did not answer the purpose intended, he would be one of the first either to amend it, or give his vote for making it void, for any bill that the House should think better calculated for the safety of the public peace; but certainly some measure is highly necessary to correct the abuses complained of. It must be evident to the House, if we admit no blame can possibly attach to the magistrates, that their present power is not sufficiently strong to secure the peace of the town. The strong ground upon which he had gone, and the evidence adduced before the committee, go to prove that the evil complained of calls loudly for redress. In his mind, the scenes of vice which have been witnessed in Nottingham exceed all description. If we were to go beyond the statement of the evidence before the committee, and suffer persons to be called to the bar of the House, there would be no difficulty to prove that tumultuous parties have destroyed the peace of the town for these ten years past. There were strong political parties in Nottingham, and he would state to the House one among many circumstances which gave rise to much confusion during the late war. A number of persons would collect at the entrance of the town, to wait for the arrival of the mail coach, to learn the success of our navy and army; and whatever intelligence arrived of any importance to these politicians, was not argued on with temperance, but generally caused great confusion between the parties, and frequently ended in a dreadful riot: by this detail of facts he did not mean to censure any man for taking an interest in the welfare of his country; but when political differences engendered tumults dangerous to public safety, he thought it necessary that some steps should be taken to secure the comforts of the inhabitants. Nothing as yet had been adduced to satisfy him that the freedom of election had not been violated, and that there was no occasion to give a concurrent authority to the magistrates of the county: on the contrary, he thought some remedy ought to be taken to put an end to the confusion mentioned, and did not see a single evil that could arise from the bill now in the House. He should therefore move, that the bill should go into a committee of the whole House on Monday next.

Mr. HENDERSON said, he concurred with the last Hon. Gent. that the evils complained of required amendment by law, and that the peace of the town had been disturbed many years by tumultuous assemblies; he therefore

thought that the present bill was calculated to produce much good in the town of Nottingham; but he had great doubts whether the bill could pass into a law, consistent with the ancient law of the nation. The object of the bill is to increase the number of magistrates for the county and town of Nottingham; but according to an act of the 27th of Henry VIII. chap. 24. the appointment of magistrates is vested in the Crown, and the office of magistrate is procured by letters patent from the Great Seal. He observed, however useful the bill would be to the inhabitants of Nottingham, he had not a doubt but it was not only contrary to the ancient charter of the town, but the established law of the land.

Mr. Fox said, before he came to state his objections to the bill now in the House, he could not forbear reprobating the unhandsome way the Hon. Gent. opposite to him had treated the magistrates. If the mayor and magistrates have acted contrary to law, it would be the duty of the Hon. Gent. and the House to bring them into a court of justice; but he thought the method taken to degrade them in the public opinion, without making any thing like a charge, was highly censurable, and ought to meet with the disapprobation of every man who considers the merits of the case. He would ask, what was the charge against the magistrates? Did the resolutions contain any thing like proof that they had sanctioned a riot at Nottingham? He would answer, No. Why were these Gent. not accused of an offence in a direct way, if they had committed any thing criminal? But he was sorry to say, the Hon. Gent. had endeavoured to make out a charge in dark and unintelligible language, which goes to rob them of their peace of mind and character, without any thing like proof of guilt. The resolution contained a charge apparently lenient, but which teased them by pains and penalties. He would ask the Hon. Gent. if the magistrates were guilty of the offence talked so much of, why not come forward and exhibit their wickedness by something like proof? He was satisfied the resolution, in which the magistrates were mentioned as having done wrong during the election, amounted to nothing that would incur either punishment, or censure of Parliament. Many Gent. who have perused the resolution, acknowledge that it only expresses a doubt of their guilt. This was the only meaning conveyed; it was therefore very hard that the mayor and magistrates should suffer by mere assertion. It was true, the evidence was very voluminous, yet there was no part of it that affected the magistrates for not having done their duty to the best of their ability.—The preamble of the bill stated, that tumultuous conduct has existed for many years, and therefore it was common to the town. The facts are, that there are two parties at Nottingham—one by the name of Loyalists, the other by the name of Jacobins, who were continually opposing each other. He would mention a circumstance which the Hon. Gent. opposite to him had concealed, and which would shew the difficulty there was in keeping an inflamed populace from acts of violence. A Gent. of the name of Davison, who is a magistrate, had his house pulled down some few years ago by a Nottingham mob, notwithstanding every endeavour was made to prevent the riot. This shews the difficulty there is, particularly at an election, to keep a mob from committing some acts of outrage, and therefore is it to be supposed that an election mob are easily kept in order? The magistrates, he could prove, had done every thing in their power to prevent the riots at Nottingham. The freedom of election was one of the blessings of the English constitution, and he would advise the Hon. Gent. opposite to him not to carry the law too far, as it might produce many evils, and occasion much confusion. The last war has caused many persons to divide in opinion on the propriety of the nation entering into it; and as many persons had suffered much by the war, as far as related to their trade and manufactories, they therefore indulged a wish to support those Members who opposed the war. He therefore thought any attempt to prevent the inhabitants from shewing their zeal for a particular Member, would be dangerous. He should repeat an observation he made on a former evening on the subject, that this was not the only town where riots accompanied elections; yet no notice had been taken of them. He begged leave to call the attention of the House to the riots in the year 1780, which were suffered to get to an alarming height before the magistrates exerted themselves to prevent them. No one could doubt, who knew the facts, but the City magistrates were very inattentive to their duty; yet no attempt was made to get the concurrent jurisdiction of the county of Middlesex over the corporation of the city of London, which would have been contrary to the ancient charter of that city—and it evidently was contrary to the charter of the town of Nottingham. He would be glad to know why the magistrates of Birmingham did not get the concurrent jurisdiction of the county of Warwick, when half the houses in Birmingham were destroyed; yet the magistrates were not called to an account for not having prevented the destruction which took place on that occasion. The Judges have paid the corporation of Nottingham, on many occasions, great praise for maintaining good order in the town; and it is also known, that the Judge have observed a smaller number of offenders have been brought before them in the town of Nottingham, than in any other of the same magnitude in England. During an election, it has always been thought prudent to give the mob a certain indulgence. He was sure,

had not Mr. Coke stood the contest, no confusion would have taken place. He could prove that the magistrates had done all they could for the purpose of giving each candidate satisfaction. If these gentlemen had acted contrary to law, and their offence was at all brought home to them, he for one would wish to see them punished, as an example to other magistrates. It was by charters that we preserved the freedom of the constitution; and wherever we lost part of our freedom, it was by the destruction of ancient charters and privileges: he therefore thought this bill would go a great way to rob the town of part of its freedom. He should not object to this bill, if it only gave a concurrent jurisdiction to magistrates of the county during an election, or in case of a riot, except one clause which applied to the magistrates, and which he so much reprobated. In order to slander the mayor and magistrates, it had been reported, that they had sanctioned the exhibition of a naked female, who was called the Goddess of Reason. This, with several other stories, were circulated to their prejudice; and an attempt was made to prove the truth of these stories before the committee, but it failed, as the Chairman of the committee would not admit the hired witnesses to give their evidence.

Mr. Bond said he had the honour to be one of the committee on whose report this bill was originally founded, and he had given much of his attention to the subject; he had formed an opinion upon it, and that opinion was decidedly opposite to that which had been expressed by the Hon. Gent. who had just sat down, and he felt it his duty to speak upon the subject: he was anxious to do so, particularly on account of what was stated by an Hon. Gent. opposite to him on the point of law, for he had argued it in some respect as contrary to our constitution, because it tended to create a magistracy, which was the undoubted prerogative of the Crown; but that was a misapprehension of the operation of the bill: it was not to create any magistracy, but to extend the authority of a magistracy already created; and that an act of Parliament may do this without any invasion of the prerogative of the Crown, he had many analogous cases to shew; and when he had done so, he should relieve the anxiety of the Hon. Member on the point of law. As to the hearing of counsel at the bar, he did not think that in strictness the parties were entitled to be heard by counsel on this subject; but he assented to it, because he did not wish to shut the door against any information which the House might receive, and therefore counsel was heard. He had great respect for that Learned Gent. both for his abilities as a lawyer, and character as a man, but he professed not to have changed his opinion from his arguments. He then proceeded to take notice of the arguments of that Learned Sergeant, and said, that he made no observations on the evidence on which this bill was founded, because he had no materials for that purpose, nor upon the preamble of the bill for the same reason; neither did he call any evidence on the part of his clients, and that for the same reason also. The preamble of the bill was important to be attended to in this debate; that preamble did not merely state the late riots at Nottingham, but took notice of many former riots there, and the single question now propounded to the House was, whether they should apply a remedy to that evil? As to the punishment, of which the Hon. Gent. who spoke last had said so much, and had said it was without conviction, he knew of no punishment or conviction necessary to support this bill, nor was any thing necessary to be adverted to for that purpose but the evidence and the resolutions now upon the table. He was surprised to hear the bill now before the House called the insulting language of lenity; if there was in that bill any language of insult, he was glad to bear his share of that insult. That any Gent. from reading detached parts of the evidence, should say that the Mayor of Nottingham deserved praise, he should not wonder; but if any body who had read it through, which was necessary to the proper understanding it, for it was not like some briefs that are delivered to counsel, where he might jump over the parts which were immaterial, and yet miss nothing which was important, but if, he said, any body who had read the whole of the evidence, question and answer, should say that the Mayor of Nottingham deserved praise, he should indeed wonder. He had no hesitation in saying, that if any Member of that House, on reading the whole of that evidence, would say that the Mayor of Nottingham deserved praise, "why, then," said Mr. Bond, "he has a temper and a mode of thinking, which I neither have nor envy." He had no scruple in saying, and he pledged whatever character he had as a lawyer in that House, that the magistrates of Nottingham were criminally responsible for their conduct at the late election; but he did not advise them to be pursued, on that account, for this reason, there were many very material circumstances of extenuation in their case; and therefore, although they were criminal, yet, with his impression of the circumstances of extenuation, it was his wish and his inclination, and if it was the language of insult, he must hold it still, that lenient measures should be adopted; but if it became necessary to adopt other measures, and if he was driven to them by opposition to this bill, and if he could have no remedy such as this bill proposed, and which was congenial to his wishes and to his disposition, he must pursue these magistrates as criminals; for in such a case, when there was no other remedy, he would pursue the course of public justice, without regard to private

lenity; but if this bill passed, he should not be driven to that course. He had hitherto avoided these considerations, by proposing the present bill, in which the House had not the trouble of trying the guilt, or discovering the innocence of the parties. Having said this, he would now call the attention of the House to the sort of case which was now before it. With regard first to the justice of the case, he would inquire, whether this was an invasion of the rights of any parties? and if it was an invasion, then whether it was strictly necessary? He contended that this was no invasion whatever; confining the right of election to a few, might render that right valuable to those who had it; but this was not applicable to the case of magistrates; it was not for the value of it to a magistrate that the power was given to him, it was for the better advantage of the place where he was to act; and if that advantage was not accomplished by the office not being properly filled up, the public interference of that House was necessary; this was particularly the case of corporations: from the nature of their constitutions, if their magistrates did not properly fill up their situations, they became a blot upon the character, for the inhabitants of a chartered corporation had none of the common privileges of another place. They were not like common subjects, to cure the evil of their magistrates' inefficiency; they had no advantages but their charter, which, if their magistrates did not do their duty, they could not enjoy; so that they might be said to be left out of the reach of the law, and might be said to be outlawed. This, he maintained, was the case of the town of Nottingham; for as the preamble of the bill stated, that riots had often happened at Nottingham, all the information the House had upon its table proved this, nor was there a single witness called by the Learned Counsel at the bar to prove that the facts were not so. The truth was, that riots at Nottingham had happened from time whereof the memory of man runneth not to the contrary; but it seems they had been used to it so long, that it was proper they should endure it longer. This was an argument like that which the cook made use of when she was accused of cruelty in skinning live eels, that they were used to it: such was the case at Nottingham, they were used to riots there. This was not only the case of an election for a member of Parliament, but of every election whatever. At the election for a common councilman there was a riot and violent outrage, when the practice of what was called spencering was introduced, that of cutting off the clothes of those whom the mob did not like; and that practice had continued. The election of a churchwarden, which was carried on in the church, was most impiously and scandalously outraged, where such scenes were acted as we never before heard of in a church in any country, except one, thank God. It had been said that the magistrates of the town of Nottingham had received the thanks of the Judges once; now he had information on which he could venture to depend, from some Learned Friends of his, that riots often happened at the time of the assizes at Nottingham. He knew that one Learned Judge had said that he would never go there again: that another Learned Judge had observed riots at the time of his sitting to administer justice; that he had called on the Sheriff to do his duty, to put an end to the disturbance; the Sheriff, in a soft tone of voice, said he could not: the Judge said, that if peace was not restored in five minutes, he should adjourn the court, and go to London and report the matter, and then silence was obtained: this proved that when a proper exertion of authority took place, tranquillity might be restored. It was said there was nothing like this bill to be found any where, whereas there were many cases analogous to this. The power of magistrates under charter had been increased where their power had been found deficient. This was the case of the borough of Leicester; the magistrates there had a power of concurrent jurisdiction over parts of the county. The same case applied to Clitheroe, where the magistrates of the borough interfere with those of the county, and this principle was recognised in a statute of Henry VII. which he cited. There was also an Irish act of Parliament of the 38th of George III. c. 73. by which the magistrates of the counties can go to all the boroughs to convict those who are guilty of selling spirituous liquors contrary to law. The Coventry case was likewise a case analogous to the present proceeding; it was an act for regulating the mode of admitting freemen, and making it different from what it was before: all these, in his apprehension, were cases analogous to the present; they shewed that Parliament had interfered in the conduct of magistrates in boroughs, as well as in places without charters, when the public welfare could not be supported by these chartered customs. Here, indeed, the evil was of a larger size, and therefore the remedy should be of a larger extent. But did he ask for a larger remedy than was necessary? He said, decidedly, no; but if the bill was to be put into the shape which was recommended by the Hon. Gent. who spoke last, it would deserve the name which the Hon. Gent. gave it in its present shape, that of a foolish bill; indeed, it should never be called his bill, he should beg leave to withdraw from it altogether, and so he believed would all his Hon. Friends who supported it at present. The Hon. Gent. said, that the jurisdiction of the magistrates of the county should be confined to times of tumult alone. If he thought that would answer any good purpose, he had a mode of estimating human nature which he (Mr. Bond) did not possess. He knew nothing of Nottingham, except from that which appeared upon the table of that

House at this moment. The Hon. Gent. had given the House an accurate account of parties, and that Hon. Gent. had more reason to know Nottingham than he himself had; but he must express what he felt, which was, an anxious wish that independent gentlemen should act for Nottingham; and if that was not to be the consequence of the bill, it would be an useless bill. But he would ask, how, without insulting common sense, could it be required, that a person who was to act as a magistrate under the authority of this bill, should take out a *dedimus potestatem*, for the purpose of merely running his head into a riot, without having any means of preventing riot, which was the most interesting, anxious, and solicitous part of the duty of a magistrate, of a good magistrate? Every one knew that every good magistrate exercised much of his authority before a riot began, and that if he did it with judgment, it was the most valuable service he could render to his country, inasmuch as the prevention of crimes was much more desirable than punishment. How many riots had happened at Nottingham, and would continue to happen, if this bill was thrown out? Magistrates had much to do in a quiet way, as well as acting on occasions of actual riot: they had no small discretion to exercise on the subject of licensing alehouses. Did we not hear almost from every charge delivered by a Learned Judge to the grand jury at an assize, something on these topics? To provide against these evils was one of the objects of the bill. He knew that these tumults could not grow up unless there were nests where they were nurtured. He knew there was no turbulence or confusion of which the plot was not laid in some alehouse; and as to what the Hon. Gent. observed on the *posse comitatus*, he felt no difference, such as the Hon. Gent. hinted at, likely to happen: but he knew that force would never be drawn out unless there was an occasion for it, and then he should rejoice to see the efforts of the honest yeomanry of the kingdom opposed to a Jacobin mob. These were the provisions which, in his opinion, would render the bill efficacious, and without which it would be inadequate to the purpose for which it was intended. Considering this bill on the point of law, it was unobjectionable; considering it upon policy, it was expedient; considering it in point of probable effect, he had strong hopes it would be efficacious. In a word, he believed that if the House adopted this bill, they would adopt the best means that had yet been offered to remedy a considerable evil; that if this bill was rejected by the House, new blood and a vital principle would be transfused into the dead carcases of anarchy in this place, and it would again resuscitate; but if the bill was agreed to, the magistrates would become what they ought to be, a protection to the good and a terror to the wicked.

Mr. Moore (of Coventry) said, that if he had been on the committee, he should not have confined his labours to what the committee had confined their Report to upon the Nottingham election. He thought the magistrates had neglected their duty in this case. He read the Report of the committee with accuracy and attention, and he thought, that, from recent experience, he was competent to form a tolerable judgment how far this measure was likely to answer the purpose for which it was intended. He had witnessed some riotous proceedings at Coventry, and other populous places, and he examined the description of the riot at Nottingham, in order to see whether it resembled what he had witnessed at other places. He saw, however, that in the business of Nottingham there was much to lament and much to correct; but he saw nothing in the Report upon this subject, which the magistrates at present in the town of Nottingham were not competent to correct; and this, he thought, was fully made out by one witness, who was three days under examination; who had proved that tranquillity might be restored at Nottingham, and who had indeed restored it. He thought that every necessary provision should be made to prevent the recurrence of the evil in this case, without overturning the constitution of the borough, and that was by rousing the magistrates of the town from their dormancy. He had no doubt that the mayor and other officers had neglected their duty upon this occasion, and that they were highly criminal; there was an evil existing, but he did not think this proposed act of Parliament was calculated to remedy that evil, nor did he approve of any of the remedies which had been proposed: there was nothing really wanting but to awaken the magistrates out of their dormancy, and that was to be effected by making them feel the severities of the law, for criminally neglecting their duty. In support of this, he referred to the instance given by the Hon. and Learned Gent. who had just preceded him, of the threat of the Learned Judge having such an effect. He observed, that what was done with Simpson at the bar of the House might be a lesson proper to be taught to some others; and concluded with observing, that he saw nothing in the case of Nottingham any more than any other place where there had been riots, which could not be properly remedied by a due administration of the law as it now stands, and that could not be accomplished by rousing the magistrates to the performance of their duty, the which if they neglected, they might be reminded of by the wholesome penalties of the law.

Mr. Frankland said, that to incumber the present measure with a previous investigation of guilt, would necessarily delay the issuing of the writ; whilst on the contrary, the pass-

ing of the bill would enable the town of Nottingham to return a representative to Parliament. The concession which had been made by the opposers of the present bill, in suggesting an amendment, necessarily destroyed their arguments against its principle. With respect to the amendment suggested, it was supposing a mode of controlling riots, by first permitting them to exist, and that a justice of the peace should first see the peace broken before he acts.

Mr. GREY said he had not had time to read the whole of the Report, but he had a right to complain that those who brought in the bill had not brought forward in its support any specific parts of the evidence contained in that Report. The Hon. and Learned Gent. (Mr. Bond) had set out with observing, that he did not mean to impute guilt to the magistrates of Nottingham; and had concluded by making a very heavy charge against them of criminal neglect of duty, and secretly encouraging a Jacobin mob. He could not agree that extending a magistracy was not, in many instances, destroying it. The present bill was a bill of disfranchisement, and a severe bill of pains and penalties. He did not think that any of the cases adduced by the Hon. and Learned Gent. applied to that now under consideration. The Hon. and Learned Gent. had said, that the greater the evil the more extensive ought to be the measure which was proposed to remedy that evil: he asked the Hon. Gent. to state those points of evidence which made out his case. If the magistrates were criminal, punish them. Something had been said about lenity: in this case the magistrates of Nottingham were not convicted criminals praying for mercy, but persons calling out for trial. The former riots which had taken place at Nottingham, did not appear to enter regularly into the consideration of the committee. From the statement of the Hon. and Learned Gent. it must be inferred, that the magistrates were either guilty of wilful neglect, or that they did not possess sufficient powers; if the former, they ought to be punished; if the latter, it did not appear to him that the giving a concurrent jurisdiction to the magistrates of the county would be a sufficient remedy. It might be very possible, and if the bill went into a committee he should propose it as an amendment, to require ten housekeepers, in case of a riot, to sign a requisition to the neighbouring magistrates, in which case the latter might bring in the *posse comitatus*. This would confine the bill to the fact complained of.

Mr. ROSE said, if he had any objection to the bill, it was that it did not go far enough. No speech had ever satisfied him more upon any subject than that of the Hon. and Learned Gent. with respect to the present bill. The Hon. Gent. (Mr. Grey) had urged that the committee had no right to go into the consideration of the former riots which had taken place at Nottingham; but the fact was, that they were brought forward by the magistrates of Nottingham themselves, in order to prove that riots at an election in that town were nothing new. The Hon. Gent. (Mr. Fox) had taken credit to the people of Nottingham, because the story respecting the Goddess of Reason did not prove to be exactly true: but proceedings certainly did take place which were not very creditable.—There clearly appeared either gross neglect on the part of the magistrates of Nottingham, or the greatest insufficiency of power.

HOUSE OF LORDS.

Tuesday, May 3.—(See Minutes, p. 811.)

[BANK OF IRELAND.]—The order of the day for the second reading of the Bank of Ireland restriction bill being read, and on the question being put that the bill be now read a second time,

Lord KING rose, and, in a speech of some length, delivered his sentiments upon the measure before the House, and upon the important subjects connected with it. In discussing these, however, he observed he should, though in a general view of them they might bear a more comprehensive scope, confine himself to those points which more immediately concerned Ireland. The Noble Lord set out with observing the very great increase of Bank of Ireland small notes in circulation, which within a comparatively short space of time had increased more than fourfold, and which consideration should operate upon their Lordships' minds with respect to the great discretionary powers which the present bill continued to vest in the Directors of the Bank of Ireland. He was aware, that in defence of the measure much stress would be laid on the utility of country banks, the great assistance afforded them by the national bank, &c.; but with respect to Ireland, a part of this argument would not hold good, for it was well known that country banks had not increased of late years in that country, which was chiefly to be attributed to the unfortunate situation in which that island had for a long time been plunged. In considering this part of the subject, his Lordship adverted to the large issue of small notes, as for seven and ten shillings, &c. and to the effects produced by such a circulation, and alluded to one advantage which private banks possessed over those grounded upon extensive public institutions, namely, the far greater control they possessed with respect to false and fabricated notes. To a certain extent, he admitted that the competition produced by a number of country banks was of public utility; and he adverted to a circumstance, which he said reflected honour upon them, namely, their continuing to pay in specie for a considerable time after the prohibitory order was issued in

1797. Their Lordships would be aware of the exorbitant abuse of the discretionary power vested in the Bank Directors of Ireland, when they contemplated the excessive increase in the issue of small notes, and which was a sufficient reason that in 1801 the course of the exchange should be 17 per cent. against Ireland, a circumstance which he regarded as singular in the history of commerce; and specie, he observed, had in a great measure disappeared in the southern parts of Ireland. The Directors had perverted their discretionary powers to ends of private advantage: he meant the Proprietors of the Bank stock, which was advantaged to the public detriment. He contrasted the large issues made by the Bank of Ireland with those of the Bank of England, within a given period; and he contended that it would be impolitic and improper to vest in future such a discretionary power in the Bank of Ireland Directors, after they had seen the nature and tendency of their former conduct. He had it in contemplation to propose a clause to be introduced into the bill, which in its effect would in some measure do away the nauseous parts of it: the object of this would be, to oblige the Bank of Ireland Directors, after a given period, suppose six months, to pay in Bank of England notes, which would have the effect of placing the Bank of Ireland, to a certain degree, in the same situation as that of England was before the suspension of payments in specie. He argued, that such a regulation would be attended with no ill effects, and he expatiated upon the impropriety of vesting in the Bank of Ireland a power of depreciating the standard of the currency of that country. He thought the case at best an extreme one, and were Parliament called upon to act so with respect to the Bank of England it would certainly refuse the interference. He knew not whether the present was the regular stage for proposing such a clause; but whenever it could be introduced into the bill, he most seriously recommended their Lordships to adopt it.

The Earl of LIMERICK contended that the Directors of the Bank of Ireland were driven by necessity, and from step to step, to increase the issue of their small notes; and that the proposed remedy, instead of removing, would only aggravate whatever unavoidable evils might exist. Towards the close of 1796 it was a part of the plan of a set of desperate and ambitious conspirators, who plunged their country into rebellion, to palsy by every means in their power, the exertions and credit of the Bank of Ireland: a very considerable issue of small notes was the result of their machinations. He contended that the credit and security of the Bank of Ireland was made stronger than ever; it had withstood the shocks of rebellion, invasion, and of untoward events, from a variety of other causes. He expatiated at length on the various causes of the unfavourable course of exchange against Ireland, which however he denied prevailed to the degree laid down by the Noble Lord; the chief of these he stated to arise from the effects of the rebellion, the interest of debt remitted to this country, and the increased drains of absentees. These various positions were established by the Noble Earl by calculations and details drawn from official documents, &c. He concluded by strongly recommending it to their Lordships to accede to the bill before them.

HOUSE OF COMMONS.

Tuesday, May 3.—(See Minutes, p. 811.)

[NOTTINGHAM ELECTION.]—Mr. HAWKINS BROWNE moved the order of the day for the third reading of the Nottingham election bill.

Mr. FOX said, though he had stated his objections at some length on a former evening to the bill before the House, yet he thought it his duty again to address the House on the same topic. The bill now the subject of discussion, was of serious consequence to the kingdom, as it went to undermine the ancient law of the country, and intrust an improper power in the hands of Government: he therefore wished the House to give the bill due consideration before it was suffered to pass into a law. Much had been said of the lenity which had been shewn to the magistrates by the present measure; but he thought there was no lenity in taking a man's character away, when no charge had been made against him. This was exactly the case with respect to the mayor and magistrates of Nottingham; they have been abused, but nothing has been offered to prove that they were guilty of any offence: they have challenged the committee to come forward and accuse them of improper conduct, but thechallenge has not been accepted; it was therefore extremely improper to destroy the reputation of the magistrates, without giving to the House some proof of their guilt. He did not mean to doubt but much disturbance had taken place in the town of Nottingham; the resolutions, however, did not go so far as to prove, in any way, that the magistrates had wilfully connived at the evil complained of. If the Hon. Gent. who had brought this bill into the House were satisfied that the magistrates were guilty of any wrong, why not bring those gentlemen before a court of justice? The magistrates have repeatedly solicited to have their conduct canvassed in a court of law, but a species of lenity has been shewn them that has gone to destroy their peace of mind and character. These gentlemen, by the present bill, were to account for the riots which took place, not only at the late election, but for these ten years past: he considered it a dangerous principle to be acted upon, and ought not to re-

ceive the vote of the House. Agreeable to the meaning of this bill, whenever an inhabitant is inclined to find fault with the conduct of a magistrate, he, in conjunction with a party, may increase the number of magistrates till there is no end to them, and in a few years half the men in the county will be chosen magistrates, under the idea of looking over each other: this certainly was contrary to the ancient law of the country. It is a characteristic feature of the perfection of the British constitution, that magistrates should be under the nomination of the Crown: no increase was made to the number of magistrates in London in consequence of the riots which took place in the year 1780; but he was ready to allow there had been an increase of magistrates in the city and liberty he had the honour to represent; and he was proud to say, that the magistrates of Westminster had been highly useful to the inhabitants. If the riots at Nottingham had been mentioned at the time the riots of London and Birmingham had taken place, little indeed would have been thought of the complaint. He must again repeat, if the magistrates were guilty, there was not an inch of ground for them to stand on; but they had challenged a prosecution, they had solicited their opponents to proceed against them, as they knew a court of justice would send them into society free from disgrace. As he had mentioned the name of Mr. Coke repeatedly in the course of the debates on the present bill, he thought it necessary to say, he never knew a man of a better private character than that Gentleman. It was almost unnecessary to mention the great difference of opinion which has long existed at Nottingham with respect to politics: he however would say, if the present bill passed into a law, it would be in favour of Mr. Coke. It had been said, that the power of concurrent magistrates would only be called in on extraordinary occasions; but he would ask the House, whether a man, having been once nominated a magistrate, would not, according to the state of human nature, take upon him all the authority of his office? and then his power would be a compound of duty and interest; therefore the Hon. Gent. saying, that the assistant duty of the magistrates was required during a riot, was absurd. Notwithstanding all that had been said with respect to the magistrates of Nottingham, he would ask, whether the judicial power of Nottingham was worse than in any other town? He knew it was not. Mr. Coke brought a bill into Parliament some years ago, to carry the causes from the sessions of the town of Nottingham to the county, but no man had thought proper to avail himself of that law to this day. The present magistrates were not only to suffer for the riots at the last election, but for all previous disturbances, such as pulling down houses, mills, &c. All these offences had been stated in a very ingenious way to attach blame to the present magistrates. Mr. Fox then produced a pamphlet, and read several passages from it, which went to shew, that if the bill passed, it would operate as a punishment on the present magistrates, by the establishment of a concurrent jurisdiction of the county magistrates, though it did not destroy their present power. He said he should trouble the House but a minute or two longer, in observing he had no objection to the increase of the number of magistrates, if there was an alteration in the manner of electing them: the present method he could never submit to.

Mr. Bond said, that what had been before said on the bill, rendered it unnecessary for him to go at length into its merits; but he could not but express his surprise, that the last Hon. Gent. should have said last night, when the bill was in a committee, that he had no objection to the bill if his amendment was acceded to by the committee, and to hear him now, in the most energetic language, reprobate the whole of the bill: he thought the Hon. Gent. a little inconsistent in his conduct. The bill went, in his mind, to prevent future riots in the town and county of Nottingham, which must be the object of every man's wish who was acquainted with the wickedness which had taken place in that town and county. Now the clause which the Hon. Gent. had proposed, went to give power to persons after a riot had taken place; this he thought very inconsistent, and not at all calculated to be of service to the inhabitants of Nottingham. The Hon. Gent. had used many strong words to weaken the bill with the House, but he had to observe, that no threats should prevent him from doing his duty. He thought it would be extremelywrong to wait for a riot before the inhabitants nominated magistrates to put a stop to it, and therefore the Hon. Gent.'s amendment could not be approved of. The Learned Gent. (Sergeant Lens) who addressed the House on the merits of the present bill, had stated that the measure had been conducted in a very lenient way to the mayor and magistrates, and that much blame certainly attached to them: he should therefore give his decided opinion in favour of the bill.

Mr. Grey said that the Hon. Gent. had not answered the arguments of his Hon. Friend, but he had ventured to make bold assertions: he did not recollect that the Learned Counsel had, in his address to the House, said that the magistrates were guilty of wilful neglect of duty, and he thought it was contrary to the custom of the House to refer to any former debates. If he was permitted to recur to what had been said on a former debate, he was sure his Hon. Friend had not approved of the principle of the bill, as it had been said; on the contrary, he had reprobated the whole of the bill; but finding that it had the support of the House, it was his wish that an amendment he proposed should be adopted, in order to make

it less objectionable: he however would not trespass on the time of the House by repeating his Hon. Friend's arguments; but he thought they had been perverted in a most unjustifiable manner.

The Attorney General expressed his surprise that the Hon. Gent. (Mr. Fox) should have opposed the bill, after he had proposed an amendment yesterday in the committee. The Hon. Gent. then gave a statement of the facts which took place in the town and county of Nottingham; and observed, that the present bill was brought into the House from a conviction that the magistrates had not done their duty, and he assured the House, that he would not have given his support to the bill if he had not been satisfied the magistrates had not done their duty. It was therefore necessary that some measure should be adopted to keep the peace of the town and county of Nottingham, and ensure the freedom of election. He could not approve of the conduct of the magistrates and returning officer, notwithstanding all that had been said in favour of them; and it had been pretty clearly proved, that they had not taken any effectual means to suppress the riots. If the magistrates had made use of all their civil power, and that would not do, he had no hesitation in saying, that they ought to have called in the military to their assistance; and he was sure the returning officer would not have been censured for seeing the peace of the town kept during a fair and legal election; and the House of Commons would pause, had the business come before them, ere they would censure the returning officer for doing all he could to support the freedom of election, and keep the peace of the inhabitants. An Hon. Member opposite to him had said, that the Judges had bestowed great praise on the order and regularity of the town of Nottingham; but it must be recollected that was upwards of eighteen years ago; and, therefore, the encomiums of the then existing Judges could have no weight with the House now. It was necessary, in order to prevent riot, that the magistrates should be known, that appearance and power should have some effect with a mob. Under all the circumstances of the case he should not trouble the House any longer, as much had been said with respect to the present question; but he thought it highly necessary that the bill should pass the House, in order to support the freedom of election, and the peace of the inhabitants.

Mr. Grey explained. He said he did not advert to the Hon. Gent. having quoted the arguments made use of on a former day, but to his having quoted particular words supposed to have been used on a former day; and that he took the liberty of regarding as a practice, which, if followed up in other cases, might be attended with many difficulties in debate, and some other serious inconveniencies in the discussions of that House.

Mr. Fox explained also upon the subject of his having proposed, yesterday, to alter a clause of this bill in a committee of the whole House. He said he thought this a bad measure; and he had therefore endeavoured to alter it, so as to make it less bad; but that did not imply any approbation of any part of it, any more than if a land-tax bill of four shillings in the pound were now proposed, and he were to propose in a committee to have two shillings, instead of four, inserted in the bill: he could not be said to be a friend to the bill itself; he proposed it as a less evil than that of the original bill. As to his having observed, that the town of Nottingham had been commended on account of the tranquillity, which had been approved of by two Learned Judges, the Hon. Gent. who had taken notice of it, had very much misapprehended his meaning. He did not quote it as an extraordinary case, merely on account of the absence of a riot, but he stated it to shew the police and general good government of the town under its present municipal authority; and he had accompanied it with an observation of a general nature, namely, that there were fewer crimes in the town of Nottingham than in many others of which no complaint had been made: this shewed the purity of the general administration of justice in that town; and the observations of the Learned Judges, to whom he had referred, fairly bore that interpretation; and he thought the manner in which that subject was now treated by Gentlemen on the other side of the House, full as hard on the Learned Judges as they could be on him. With regard to certain officers, who had been alluded to in the course of this debate, he did not say one word on them, because there was nothing concerning them in the present bill. As to any accusation that could be made against the magistrates for not bringing in the military, that was best answered by the fact—they did bring in the military.

Mr. Frankland said, he should suppose that if a tax was proposed of four shillings in the pound, and two shillings in the pound was proposed instead of it, such an amendment might be made by a person who thought if he could not oppose the bill altogether successfully, yet would wish to render it less objectionable; but he had no conception of that sort of amendment, which, under pretence of lessening a supposed evil, introduced independent matter, that was of itself a greater evil than that which it affected to diminish; and this he considered to be the nature of the amendment recommended yesterday by the Hon. Gent. who had just sat down (Mr. Fox). The general objection to this bill was, that it might become a precedent, which might be followed up, and made at last to affect every

borough in the kingdom; upon which, he confessed, he had no apprehensions whatever: the riots of the town of Nottingham were the foundation of this; they were not like the riots of other places, for they were become habitual riots, and required a remedy like the present.

Lord GEORGE CAVENDISH said, he thought that the question now before the House was a very important one; no less than this, whether the freedom of election of the town of Nottingham should be continued? He disapproved of the riots which had taken place in that town, but he thought no ground was laid for so strong a measure as the present, which was that of altering the jurisdiction of the magistracy of the town. He thought there should have been laid before the House much further proofs of the necessity of such a measure as this, before it was adopted by the House. He was himself an elector of Nottingham, but he had never exercised his franchise, nor did he oppose this measure from any personal considerations of any kind whatever. He looked upon the right of election as a very serious matter, and not to be altered but upon the most absolute necessity, such as in this case did not appear: he thought innovation in those matters very dangerous.

Mr. ROSE said, that if this bill was founded on a mere riot happening once at Nottingham, he should have thought it prudent to have deliberated a good deal; but that was not the case, for it was not merely on the last riot at Nottingham that the bill was founded, but on a proof of a system of rioting, and that proof came before the committee on the cross-examination of the witnesses produced on behalf of the Petitioner, when it appeared as a sort of justification of the riot at the last election for Nottingham, that what then happened there was not new. Gentlemen seemed to say, "God bless us! riots at Nottingham! What do you complain of? We will shew you that this is not new; there never was an election at Nottingham without a riot; it is not confined to the election of Members to serve in Parliament, but it happens at the election of every municipal officer of that place, and even on occasions when there is no election at all, and in some of which men have lost their lives." This was the species of apology that had been set up for the late riots at Nottingham, by which it appeared there was a regular system formed and carried into effect, to punish every person whom the prevailing party did not like; and that punishment was inflicted on them by burning their property, destroying their cattle, and inflicting every species of cruelty that was practicable by the rioters; for which reasons he was convinced there were abundant grounds for the interference of Parliament. An Hon. Gent. (Mr. Fox) had said, that this was not a proper remedy, and he objected to giving to additional power of interference to magistrates appointed by the Crown: now this was the very thing which, in his opinion, recommended the bill most. He did not like the mode of choosing the present magistrates of the town of Nottingham, because they were self-elected magistrates, they elected each other; and when he saw a bench of magistrates who elected each other, incapable, or unwilling, to preserve the peace of a populous town, he could have no difficulty in agreeing to some remedy to that evil, but that remedy was not to consist of appointing more magistrates of the same description. He had no hesitation in saying, that the conduct of the magistrates at the last election for the town of Nottingham was highly culpable; for it appeared, that men came to the booth and shook an halter at one of the candidates, and said, "If I had you at another place, you should suffer death by this;" and that very man afterwards sat down by the side of one of the magistrates. It appeared also, that men sat on the top of the booth, and gave notice to others stationed at a distance, to observe their signals, to insult, in the most cruel manner, all those who did not vote for their favourite; and all this was followed up, on the part of the magistrates, by merely saying, "Gentlemen, all this is extremely wrong;" and there was no instance of the magistrates doing their duty properly. The military were called in, but if the sheriff had suspended the election during the riot, there would have been an end of the riot, because then there would have been an entire defeat of the object of the riot. The Hon. Gent. (Mr. Fox), in his explanation, had said, that he did not mean that the Learned Judge took notice of the good government of the town of Nottingham in one instance, but that he gave it as evidence of the general good government of the town: but this he knew, to the reproach of a magistrate there, that a Judge's warrant was once sent there, for the purpose of apprehending a rioter, and the magistrate did not follow it up, and see it executed. The Rt. Hon. Gent. then concluded with saying, that this bill should have his cordial support, and he was really sorry that the committee had not carried the matter further: he thought they would have done well to have recommended to the House to call upon the Attorney General to prosecute with the rigour of the law, those who by name had been reported to have conducted themselves so criminally.

Lord GEORGE CAVENDISH explained, and said, that, so far from screening the magistrates, he was for punishing them, nor was he for screening the vices of the town of Nottingham, but he was for preserving ancient establishments, which were very serious things, and great care should be taken not to lay a precedent for overturning them.

Mr. Hawkins Browne observed, that the Rt. Hon. Gent. who had lately spoken (Mr. Rose) had said, that the committee should have taken steps towards the punishment of the instigators of the late riots at Nottingham; that they should have been marked out in the Report as objects fit for punishment: the reason why the committee did not do so was, that the persons alluded to were not parties to the cause before the committee, and could not be heard in their own defence, and so the committee thought it would not be fair to proceed to any step that might lead to their punishment, without giving them an opportunity of being heard in their own defence: but the committee had recommended that the House might peruse the evidence, and upon which evidence it was as competent to any member of the House as it was to the committee, to recommend a prosecution against all or any of those persons who appeared to have misconducted themselves. This bill had been called a strong measure; he proposed it as a strong measure, for he did not put the riots at Nottingham upon a footing with common riots; they were not like the riots at Coventry, nor any other election riots. He did not call the riots of Nottingham election riots; it was a planned scheme, long concerted, to insult and ill-treat in the most outrageous manner, all those who should vote for Mr. Coke, and there were men stationed at and upon the booth for that purpose, and to give signals for persons at a distance to do the same thing; it was in the estimation of these rioters a capital crime to vote for a Gentleman who had represented the town for upwards of twenty years, rather than for a Gentleman who, whatever his merit was, was certainly a new candidate. The outrages were the effect of a systematic plan; in short, it was a scheme founded on French principles, which produced French practices; and if this bill was an unprecedented measure, he answered, that the cause which produced it was unprecedented in this country. The Hon. Gent. (Mr. Fox) had called this bill a measure of affected and insulting lenity. Now the committee did not consider any thing of lenity, they were guided by views of justice, as it was their duty to be guided. There was not any difference of opinion on the conduct of the magistrates; they all agreed that effectual measures were not taken by them at the last election for Nottingham to suppress riot, and to preserve the freedom of election; but the committee had not expressed their opinion so as directly to involve the magistrates in criminality; they did not think proper to propose any measure of prosecution, supposing that which was assumed on the other side to be correct, which was far from being the case; but supposing it to be so, namely, that these magistrates of the town of Nottingham were elected by the people, and that, as such, they were really the guardians of the people, yet it could not be said that their jurisdiction was destroyed by this bill, for it only gave to other justices a concurrent jurisdiction with them. As to the precedent, of which the Hon. Gent. appeared to be so apprehensive, he owned he saw no danger in it, for such a measure never would be taken except where it was necessary, and it would never be necessary, but where such principles prevailed as those which made a system of riot at Nottingham, and it was our comfort that such principles had but little root in this country.

Mr. Shaw Lefever said, that the present bill had his hearty concurrence. As to the amendment proposed yesterday, by an Hon. Gent. who opposed this bill with much vehemence (Mr. Fox), he found it his duty to oppose it, not only on account of its general bad principle, but also because it tended to degrade the magistracy of the counties of this kingdom, to reduce them, and to place them in a situation with the *posse comitatus* of which they were the directors on fit occasions. As to county magistrates being called crown magistrates, he begged it to be understood by the public, that they were persons generally appointed to their office (which was a laborious one, and which they performed gratis), upon principles of independence. They were appointed for the general good of the country, and they generally acted upon the principle of their appointment. He did not like that it should go forth from that House to the public, that the magistrates of the counties had either salaries or emoluments for what they did, or that they had any dependance on the Crown or other dependance whatever; on the contrary, they devoted their time often from week to week, leaving the concerns of themselves and families, to perform some of the most important business of the county and of the public, without any other fee or reward than the approbation of their consciences for having contributed much to the public welfare. As to the licensing of public-houses, no advantages were derived to the county magistrates from it; on the contrary, it was a power, the exercise of which gave them much trouble. Some clerks and inferior persons had fees and emoluments on such occasions, but the magistrates none.

Mr. Fox explained, and said he was misunderstood by the Hon. Gent. who spoke last: he did not mean to cast the slightest reflection on the magistrates of the counties, on account of their being appointed by the Crown; on the contrary, he stated that the greater part of our magistracy was appointed by the Crown, and that he regarded as one of the excellencies of the system of our government when they were mixed with those magistrates who were elected. He never knew any suspicion entertained of the general character of the justices of the peace for the counties. He never insinuated that their power was exercised from corrupt motives: what he said was, there was

much merit in the principle, and great benefit from the practice of blending with them in the general government of the community, magistrates who were elective; and he had only alluded to the general duty of a magistrate, and observed that some parts of it were more agreeable to perform than others. The excellence of our general government by municipal authority was, that it was blended, that it was an union of those who were nominated by the Crown, and those who were elected by the subject; for he detested that affectation of simplicity which would have one of them without the other. The excellency of our system consisted in providing that they should go on together, but each in his proper station.

HOUSE OF COMMONS.

Wednesday, May 4.—(See Minutes, p. 811.)

[NAVY ABUSE BILL.]—Sir HENRY MILDMAY rose, and observed, that in any thing he was about to say on a question, in his mind, of considerable importance to the House and the public at large, he did not mean to attach any unjust conduct to any gentleman in his Majesty's navy. He was entirely governed by an act of Parliament which passed a short time back, the letter and spirit of which required, that the commissioners appointed under the act to investigate the abuses which have taken place in his Majesty's navy, should report to the House the nature and result of their minute inquiry; but he could not but express his astonishment, that so much time should have elapsed since the passing of the bill, for the purpose mentioned, and not the least information has yet been given to Parliament on the subject. He thought it would have been no more than the duty of the commissioners to have given the House some information how they were going on, in the business imposed on them: but it did not appear that the public was likely to receive any information on the subject. Under this impression he rose to address the House, on what he thought was his duty as a Member of Parliament. There was one circumstance among several, that he should take the liberty to mention to the House, which called for some investigation. A gentleman of the name of Taylor, had entered into a contract with the Board of Admiralty, for the term of seven, fourteen, and twenty-one years, to furnish Government with blocks; but without any real cause of complaint against Mr. Taylor, the Board of Admiralty thought proper to break the contract with him at the end of nine years: this sudden and strange conduct on the part of the Board of Admiralty to Mr. Taylor, operated for a time as hurtful to his arrangements: however, no great length of time elapsed before the Board of Admiralty were obliged to come back and solicit him to renew his engagements with them; but this application was refused by Mr. Taylor, unless the Board gave him an additional sum of 10 per cent. to what he before had from them. This, among other things, ought to come before the House through the medium of the commissioners, so that Parliament might form some opinion of Mr. Taylor's conduct. He begged leave to call the attention of the House to the time the Navy Abuse Bill was first offered for the consideration of Parliament: at that period he well recollected, that the friends of the bill urged the necessity of passing it immediately into a law, as many abuses in the navy were known to exist; he therefore thought if there was good cause to pass the bill into a law at a very short notice, there was also good cause to know something of the good effect produced by the bill; he should therefore move, that the commissioners appointed by act of Parliament, to investigate abuses in the civil departments of the navy, as practised by prize agents, &c. &c. do report the same to the House.

Sir CHARLES POLE said, he had the honour to be one of the commissioners appointed by the bill in question, and he could assure the House, that no time had been lost, and that ever since he, with the other commissioners, had met, they had sat from five to seven hours a day; he thought it necessary to observe, that as soon as fair copies were made out, the Report should be laid before the House for the inspection of Parliament, and which should be done as early as possible. He did not doubt but if the Hon. Bart. had made any inquiry respecting the business in question, of either of the commissioners, he would not have brought forward the present motion; he therefore could not but receive it as a rebuke.

Captain MARKHAM said, he had the honour to be a Member of the Board of Admiralty, but all he had to observe at present on the Hon. Gent.'s remarks respecting Mr. Taylor was, that the Admiralty considered the contract between him and them as a bad one for the public; he however should not enter into the particulars now, but when the business came before the House, he should speak at some length on the subject; yet it might be necessary for him on the present occasion to inform the House, that a very ingenious mechanic had invented an engine to cut blocks, at a much less expense than Mr. Taylor could make them for, consequently it was the duty of the Board of Admiralty to save the public money, by getting blocks as cheap as possible. And notwithstanding the Board of Admiralty had been abused by the Hon. Bart. yet, he had the pleasure of informing the House, that since the year 1792, we have a better naval force to

stand against any enemy, than we had before that period. As to the French naval force, which had been so much talked of, it only existed in the minds of Gentlemen on the opposite side of the House. He did not hesitate to say, that the French naval force consisted of nothing but a few fishing-boats.

The CHANCELLOR of the EXCHEQUER said, he concurred entirely with the Hon. Gent. who said there was no imputation whatever of blame upon the Admiralty Board; but his regret was, that some particulars had been entered into in the speech of the Hon. Member who made this motion. All that had been said on the subject to which the speech of the Hon. Bart. referred, must necessarily form a part of the object to which the inquiry of the committee was to be directed, and surely it was not too much to ask that the discussion of that and other points which were the objects of inquiry of the committee, should be suspended until the Report had been made.—An Hon. Gent. at the head of the committee, had stated that the Report would in part be ready in the course of a very few days, and he thought that Hon. Member had satisfied the House there had been no delay in the progress of the inquiry, nor needed that Hon. Member have brought forward any comparison between the present time and the year 1790, as to the interval that had passed between the forming of the committee and the making a report. With regard to this motion, he did not feel there was any thing in the nature of the motion itself that tended to reflect on any body, but there was something in the particular manner of the Hon. Bart. in the speech with which he introduced that motion, that might be called an intended rebuke, and also a suspicion of an unnecessary delay. What was the statement of the Hon. Gent. at the head of the committee of inquiry? That they were almost quite prepared with one part of the Report, and that several other parts were soon to come forward: he could not therefore think it would appear to the House there had been any negligence in the proceedings of this committee; nor was the imputation of negligence indeed stated; it was only implied from what was stated by the Hon. Bart. He hoped he did not intend to convey that imputation, and he should be glad to hear from the same quarter, a disclaimer of such implication. That Hon. Bart. had alluded to some expressions which fell from him (Mr. Addington) previous to the Christmas recess, and he seemed, from that observation, to think that the Admiralty had, from an ill-timed and miserable parsimony, starved a material part of the public service, and he had compared the present state of the naval force, with the declaration made before the recess. Mr. Addington said, he had much rather be found to have made an improvident declaration, than that it should appear that any part of the public service, and particularly that part of it, had been starved by parsimony, or from any other cause neglected, or that there should rest a suspicion that it had been neglected; but he made no such declaration as that which had been imputed to him. He never said that fifty sail of the line would be ready for sea at a moment of emergency, within a month, as the Hon. Bart. stated; but he said then, and he said now, that although in time of peace, on an emergency, fifty sail of the line might be got ready for sea, he had not intimated, for it would be madness to intimate, that in that period all the men for that number of ships could be provided. His expression, at the time, conveyed no such meaning, and it would appear impossible, from the nature of the thing; so it was now impossible to say correctly the period within which that fleet could be manned. When a number of ships and proper equipments for them may be ready, was a matter which might be calculated, and therefore stated, and that was all to which his expression referred, and that might be still better known by those who were at the head of the naval department; but how was it possible to know precisely when all the men necessary for that service could be procured? That referred to a variety of considerations—first, to the state of the merchants' service in shipping, for the supply of men must come from that source; secondly, to the means taken to procure these men for the royal navy. It must therefore appear to the House manifestly impossible for him to say at what precise period fifty sail of the line would be ready to go to sea on actual service. He did not intend to say any thing that could have been so construed, and he should have been ashamed of having attempted it, if he had done so. He would not now, because this was not the season for it, state the number of ships which are ready for sea; but did Gentlemen know how many were so? This he would say, the number was much greater than any thing which had been of late generally stated to the public, and such as would gratify the wishes of the best friends of this country. Thirty-two sail of the line were in commission in British ports: more information would be given in a few days. The Admiralty had used no means that were not justifiable in procuring men: they had hitherto had recourse to none but the most moderate means; but let it not be supposed that because men were not procured, they were therefore not procurable. The House would learn that the exertions of the Admiralty to procure men, had hitherto had a strict regard to the interests of commerce, they had wisely proportioned their exertions to the emergency of the public service on the one hand, and the interests of trade and merchandise on the other. They had not hitherto pressed any from protections, nor had the commerce of the country been, in the least degree, interrupted. Gentlemen should recollect, that the scale now was greatly altered

from what it was in former years in this particular. In former times it was thought a great exertion to raise from 16,000 to 20,000 seamen; but now we were to raise from 30,000 to 50,000 seamen, which was a very great difference of comparative exertion. He observed, however, there was no remissness in the present service; on the contrary, greater exertion than at any former time, of the same length, and by much more moderate means, and better regard to the interests of trade, than on any former occasion. He was aware that he had gone more into particulars, on this occasion, than perhaps was warranted by strict regularity, and by which he had fallen into the course which he had regretted to have been done by others. His apology was, that he was desirous to set the matter right, and to assure the House, there was no period for which he was more anxious than the day when he should have it in his power to bring forward a correct statement on this part of the public service, as well as that of endeavouring to do justice to every Member of his Majesty's government, as well as himself, upon the discharge of their public duty in this and every other branch of the public service. He should then bring forward certain topics with more satisfaction than he was at present able to describe. No longer time than was absolutely necessary would be taken to bring forward these topics, when, he was confident, they would undergo a full and perfect discussion. For the present he apprehended, that his Hon. Friend behind him had given to the House an explanation that was perfectly satisfactory. He had now only to say, that, instead of proposing to negative the motion now before the House, he should move the order of the day.

Mr. CANNING observed, that the Hon. Bart. had at present received a satisfactory answer to his motion, and probably, if such an answer had been given formerly to his question, as had now been given to his motion, the House would not have been troubled with the present discussion; but there was one point in which it appeared to him that his Hon. Friend had not had justice done him—he was represented as persevering in this matter without necessity, when, in point of fact, his motion arose from his not having had an answer to a question which he had put on a former occasion. His Hon. Friend was represented as imputing blame to the commissioners under the bill for inquiry into abuses in the navy; now if there was any one thing more remarkable than another in the course of what he said with perfect fairness on this occasion, it was that of a studious assurance to the House, that he did not blame the commissioners, and he thought it impossible to accuse his Hon. Friend on that ground. He understood the motion as merely preparatory to an inquiry into the subject by the House, after receiving whatever information should be conveyed by the Report. This committee was appointed before Christmas, on an allegation that great abuses prevailed in the civil departments of the navy, and so urgent and crying were these abuses stated to be, that the bill was passed, he would not say improperly, but in a very limited time, considering the constitutional principles which it involved. Parliament, however, concurred in passing it thus rapidly, under a conviction, that the abuses were so crying, that they must not be allowed to pass over the holidays, and one argument then made use of by way of sanction to the bill was, that if it did not pass before the holidays, a great deal of guilt would fly off and escape from punishment. Now he would ask, had any man fled to escape punishment? Had Mr. Taylor fled, of whom so much had been said, and who had been so treated? On the contrary, as a proof that he had no occasion to fly, or to fear, he was even now reinvested with his contract. There was, therefore, an end of that argument of the necessity of the measure, for the purpose of providing against the flight of guilt. The object of his Hon. Friend by the present motion, he understood to be this—that as the bill gave to these commissioners an extraordinary and anomalous power, and applied an extraordinary remedy, and nothing but the extent of abuse stated as the cause of it, he wished to know what was done by that committee, that was to say, to know what use the committee had made of such power? And he owned he could not think it was unworthy the feelings of a Member of Parliament to express a wish for such information, in order that the uses of this extraordinary power might appear to the House, and that the House might see how it had been applied; in order that his Hon. Friend, and every other Member who had supported the bill, might stand well with himself for having assented to such a measure. If so much, and such extraordinary, power was given, was it too much for a Member of Parliament to ask, how such power had been employed? Was that an inquiry which was unworthy a Member of Parliament? His Hon. Friend was charged with going into particulars upon this occasion, before the Report was brought forward. On a former occasion, when he asked for the Report of the committee, he received no answer; and as one head of the Report must then have been nearly ready, as appeared by the statement of an Hon. Member of the committee, that might have been stated to his Hon. Friend, and then he was confident that he would not have gone into particulars before he saw that Report. Another point on which his Hon. Friend was justified in calling for the Report, was this; when this committee was instituted, the House was perpetually warned by Ministers to consider that we were in a state of profound peace, and when, therefore, no possible injury could be felt by probing into abuses which had crept into our

affairs in the course of a long war; and this argument must be supposed to have great weight, from such authority; for was it possible that a measure might be laudable in time of peace, and yet infinitely dangerous even to be tried in time of war. In time of war, it was possible to feel abuses, and yet we should not attempt to remove them. Mr. Taylor got his contract again—Why? Because that which was intended to supply his place was not ready. What did that prove, but that Members of Government began to destroy, before they had provided means for substitution? He would ask, if that was the situation in which it was wise to place us? and was a man to be rebuked afterwards for doing nothing but his duty, by calling on the House to examine into the manner in which power so obtained had been exercised? It was very possible that the bill under which these commissioners acted, was meant for peace and not for war—he was not saying that was the case—but it was possible, and that was a question fit for discussion; and his Hon. Friend was now not only justified, but he was performing a laudable duty in calling the attention of Parliament to a subject of so much importance: nor was this all; his Hon. Friend would have been justified in taking the course he did, although none of these reasons existed. He would have been justified upon the principles of humanity and the feelings of a gent. in calling for an account of the manner in which this power had been exercised, if he had only conceived that Mr. Taylor was an ill-used individual. He saw nothing discreditable to his Hon. Friend in bringing this matter forward, even if it appeared that he had no other motive but that of vindicating the character of an individual whom he had thought ill-treated; why, then, his Hon. Friend was justified in calling the attention of the House to the subject on the feelings of common humanity. He was justified in doing so from the civility of a gent. a point which no Gent. would dispute, and as a Member of Parliament not only was he justified in what he did, but he was laudably performing a laborious task. The conduct of the Admiralty was not in question now, nor need it have been brought into this debate, in the course of which, without any reference to any personal question, it appeared that persons who mean to speak on one side, might happen to contradict each other; and this had been the fact to-night in this debate between his Hon. Friend behind him (Captain Markham) and the Rt. Hon. Gent. upon the floor (the Chancellor of the Exchequer). The Rt. Hon. Gent. had said, that with regard to the preparations of the navy of this country, it is, in point of fact, in a greater state of preparation than on the apprehension of hostilities at the beginning of the last war. That was not the question; but the question was, whether, with reference to the comparative establishments at both periods, more had been done now than had been done then in the same length of time, to put this country in a proper state of preparation for hostilities? The Rt. Hon. Gent. had said, that when he said fifty sail of the line meant for service would be ready in a month, on an emergency, he did not mean that they should be actually fit for sea, because they might not be manned in that time. He would not contradict the present statement of the Rt. Hon. Gent. but the way in which he accounted for having deceived himself by hearing the statement was this: the Rt. Hon. Gent. had said on that occasion, the men were more easily collected now than they were formerly, because they were now distributed in frigates, and that therefore the ships might be equipped in a shorter time than formerly. This was the reason alleged by the Rt. Hon. Gent. why we could fit out fifty sail of the line within so short a time upon an emergency, and this could not formerly be done. How the men might be brought together, and so form a force sufficient to fit out a fleet of fifty sail of the line, he could not understand, and that was the sense in which he comprehended, or thought he comprehended, the assertion of the Rt. Hon. Gent. upon that subject. But how frigates can be changed into large ships of the line, he owned he did not understand. He could not understand how frigates could be changed into ships of the line, but he could conceive how the men taken out of a great number of frigates, were brought together, and put on board ships of the line; and this was the only way in which he hoped to atone for the misconception he had formed of the assertion of the Rt. Hon. Gent. What he had heard to-night, excited his astonishment; and he must now beg that the King's message of the 8th of March be read.—[The message was read in part—"His Majesty thinks it necessary to acquaint the House of Commons that very considerable military preparations are carrying on in the ports of France and Holland."]—Mr. Canning proceeded: he said, that was enough for him. It was now for the first time that the House had heard, from the best authority, from one of the Lords of the Admiralty, that there was no preparation in the ports of France and Holland. Until to-day the House had been led to believe there were considerable preparations carrying on in the ports of France and Holland.—But now we had a plain assertion from one of the Lords of the Admiralty, directly contradicting the whole of the most material sentence in the message from the King. In the very teeth of all our alarm, a Gent. from the Admiralty told the House there was no foundation for any part of it, for that we had nothing to oppose but a few fishing-boats. This was an agreeable surprise, and he had too high an opinion of his Hon. Friend Captain Markham's vigilance, to doubt the correctness of his information, and too high an opinion of his veracity, for an instant to suspect the truth of his assertion—too

high an opinion of his integrity, to suspect that he would attempt to delude the House. If not, then the question would be, who have deluded the House? On what pretence was that message sent? If the statement of his Hon. Friend (Captain Markham) was correct, he believed he understood the case a little, and that it was not difficult to judge why the House had no information. The Report of the committee would soon be made, and then the House would take the matter of it into consideration. The material question which would arise on it would be, not only whether the commissioners had exercised their powers properly or not? but also, whether this measure did more good than harm? or whether, which was a possible case, instead of redressing grievances, it had been applied to the oppression of a worthy individual, and exercised to the detriment of the state?

Mr. Fox said, that the Rt. Hon. Gent. who spoke last must perceive that no motion had been made at present upon the conduct of the Board of Admiralty; if that subject should come under discussion, he had such a perfect reliance upon the high character of the Noble Person who presided over that Board, that he had no doubt but a complete and sufficient answer would be given to any charges that might be brought forward. It was certainly natural to wish, that upon a point of great public importance the House should have information upon the subject, but it was impossible sometimes to have information simply, and at the same time justly, because information, to be satisfactory, must embrace all the points connected with it. He was perfectly convinced of the good intention of the present Board of Admiralty: by good intention, he meant not only the disposition, but the ability to reform and root out the abuses which were known to exist in parts of the naval service. He trusted that in the prosecution of this great work, the Board of Admiralty would not suffer themselves to be intimidated by the clamours or insinuations which were thrown out against them by jobbers, or by persons who were interested in continuing those abuses. Strong powers were certainly given to the commissioners by the bill which had been alluded to: he certainly was not a friend to vesting strong powers in any persons; but if he were to give them in any case, it would be where they were to be used to effect reforms in the abuses of the state. He had seen instances in which former administrations had been anxious upon all occasions to take strong measures against the subject, and it would be too much now if they were to refuse strong powers, which were to be exercised for the benefit of the subject. This certainly was not the time for entering into any discussion upon the armament; he could not, however, help expressing his surprise at what had fallen from an Hon. Gent. (Captain Markham) upon that subject, even though the Hon. Member's opinion upon that point agreed with his own. The words of the message certainly were military armaments; now the word military was certainly sometimes used in contradistinction to naval; but when the subject came to be inquired into, it would make very little difference in what sense the word was understood. He had merely risen to state his perfect confidence in the ability of the present Board of Admiralty to carry the reforms into effect, either in time of peace or war.

Capt. MARKHAM, in explanation, said, that when he spoke of the respective naval force of this country, and of that which he must call our natural enemy, he certainly outstepped the strict line, as men sometimes used strong expressions without expecting to be held to the strict letter of them. Perhaps, too, it might be a little allowable to Gent. of his profession to hold the naval power of France in contempt, and it was in that view he spoke of the navy of France. He begged to refer to the history of the last war, and it would be found that he had not much outstepped the bounds of truth, when he called the navy of France mere fishing-boats. He did not say there were no armaments in the ports of France and Holland, but he hoped he should always be able to speak of them with the same contempt.

HOUSE OF LORDS.

Thursday, May 5.—(See Minutes, p. 811.)

[IRISH BANK RESTRICTION.]—Lord KING took the first regular opportunity that presented itself, for proposing the introduction of the clause he had given notice of on two former occasions: the substance and effect of this clause was, to authorize the creditors of the Governors and Company of the Bank of Ireland to compel, by legal process, that corporation to pay them the amount of their demands in Bank of England notes, allowing for the difference of the currency in Ireland. The adoption of this measure, the Noble Lord contended, would in a great degree remedy the evils produced in Ireland by the depreciation of its currency, in consequence of the enormous circulation of Bank notes. He pointed out the difference between a real and nominal exchange, and argued that the latter was by no means so much against Ireland as was generally supposed; inasmuch as the actual balance of trade would be found to be in its favour. The causes of the unfavourable state of the exchange with respect to Ireland, arose, he contended, chiefly, if not solely, from the great depreciation of its currency. The chief objection against what he proposed was, that it would tend to draw the specie out of the country—this he could not think would be the case. He was of opinion

that an adequate supply of Bank of England notes could be procured by means of bills of exchange, and in the way of commerce. He contended, that unless the causes of the depreciation of its currency were done away, which his proposition would tend more than any other measure, equally unexceptionable, to do, the consequences must eventually be ruinous to that country. The Noble Lord concluded with moving his clause, which was to the effect above stated.

The Marquis of SLIGO said, nothing could more clearly shew the difficulty of finding any remedy for the grievance under which the Irish laboured in the high and increasing exchange, than that a proposition should come from a Noble Lord, who had considered the subject so much with intent to do it away, which was in no sort practicable, and which, if practicable by any possible means, would be productive of the most serious mischiefs. His Lordship said, he had considered the subject a great deal, not only as a duty to Ireland, but also for the purpose of giving such local information to their Lordships, as they might not otherwise obtain; and by doing of which, perhaps, on such occasions, the seat he had the honour of filling would be of most public utility. A bill for continuing the restrictions on the bank of Ireland could scarcely have any clause added to it more entirely inconsistent with its principle, than that which was proposed; neither could his Lordship possibly understand what difference there was between allowing the Bank to pay their engagements with guineas, or with notes from another country, which they must buy with guineas. It would open the Bank in the worst manner possible, by allowing all the specie to go out of the country, without circulating any of it through it for its own internal purposes. His Lordship said, the difficulty in discussing money questions arose partly from not considering specie like any other article of commerce. Take it in that view, and much of its apparent complicacy vanished. Gold, it was very certain, bore a premium of above five per cent. in Ireland above its nominal value in Bank notes; but though he was not prepared to say paper was not in some degree of depreciation, he would not agree that it was a necessary consequence resulting from it; and in the present instance he was much inclined to think it was not the case. Specie, it was well known, was indispensably necessary for the linen trade, the great staple manufacture of Ireland, and not necessary, from any preference given to it alone by those who carried on the trade, but from other very good and sufficient reasons. With a limited quantity of specie in the country, it was very natural, when indispensably wanted any where, that those who chanced to hold what there was of it, should give it an increased value. A horse worth 30*l.* at Smithfield last month, might be worth 40*l.* now, without any depreciation in the notes of the Bank of England; and the same argument would apply to specie. His Lordship said, that the high price of bullion in Ireland, and the high exchange against that country, were both circumstances much to be regretted; and yet though acting in some degree as cause and effect, they tended to counteract the mischiefs of each other; and if it were possible to remove the one without the other, it would be attended with consequences the most ruinous. The high value of specie for internal purposes kept the money in the country, which otherwise would be forced out by the high premium of the exchange; and the high exchange reimbursed the merchant what he had paid for specie, without obliging him to add to its price upon the consumer. The exchange operated as a tax upon all imports, and as a bounty on our own manufacture; and thus perhaps it carried with it a kind of sinking fund, that might ultimately do away a grievance for which it was scarcely possible to find a direct remedy; and all the proposals for which were so full of difficulty and danger, that in his mind it was better far to bear the ills we have, than taste of others that we know not of. With respect to the causes of the high exchange against Ireland, they were pretty generally known: a great military establishment, in times when the country was disturbed, had incurred expense, the means for which were necessarily got out of it. The interest on those loans, great in comparison to the wealth of the country, and paid out of it, was one cause; coals imported, and amounting to near 700,000*l.* a year, one half of which was used in Dublin, and paid for in specie, was another cause; an increase of expense in those who lived out of the country, by the rise in every article of consumption, was another cause; an increase of foreign trade, and every other natural cause for the balance of trade, also operated; and it was unfortunately too true what was advanced by the Noble Lord, that Ireland had not a balance of trade in her favour with any country in the world. Such were her present circumstances, but he hoped and trusted with much better prospects before her. His Lordship said, there was one point advanced, to which, from personal motives, he was particularly anxious to allude: it had been very industriously circulated, that the high exchange against Ireland had been occasioned by an increase of absentees in consequence of the Union, and that it was a fair price to pay for it. His Lordship said, the fact was not so, there was no increase of absentees worth naming—that he never believed the Union would increase the absentees—and that if he had, he never would have voted for it, not from regard to the paltry sum which a few individuals might expend, and which would be provided for by half the value of a linen ship, but because nothing could com-

pensate any country for the loss of its resident g ntry. The example of their lives, the encouragement of their countenance to industry, the protection of the weak, and seeing and enforcing a regular and impartial administration of justice, were duties which the great owed to their situation; they belonged to their residence, and the want of them no advantage could compensate.

HOUSE OF LORDS.

Friday, May 6.—(See Minutes, p. 811.)

[INSOLVENT DEBTORS.]—On the motion for the committal of the insolvent debtors' bill,

Lord MOIRA rose, and took a wide and comprehensive view of the laws of this country with respect to debtor and creditor, and complained of the power which, contrary to the principles of the constitution, and the precepts of universal justice, the creditor now possessed of inflicting punishment upon his debtor. It was the only instance in which an individual was allowed to be judge in his own cause, and permitted to subject another man to penal imprisonment (for it was cavilling with terms to call it any thing else), without any proof of delinquency. Against this default it was his wish to provide a remedy, not by a temporary act, but by a permanent regulation. It was a common saying, that there were twenty evil debtors to one cruel creditor. He would not deny that fraudulent debtors were numerous—perhaps, more than half of those who contracted debts did so, either with no intention to pay, or squandered the means which should be applied to that purpose. Such persons it was the object of his measure to exclude; but though he meant to propose so to do, he would not be understood to accede to the whole of the saying he alluded to. There might be many evil debtors, but that could only be assumed, while the cruelty of creditors was proved by many records. It was proved by the Report of the Society for the relief of persons confined for small debts, from which it appeared, that in the year ending the 1st of March 1802, they liberated 1125 persons, who were confined for debts, on an average not exceeding 2*l.* 7*s.* 2*d.* per head; and these poor prisoners had 500 wives and 1400 children. On the feelings and justice of such creditors, he thought a comment would be superfluous. He cited the case to shew the pressing necessity for legislative interposition. The Noble Lord stated the bill he held in his hand to be merely a transcript of the last bill which the House had adopted; but that in the committee he meant to propose a clause which would obviate the necessity of any further insolvent bills, for the object of it would be to give a power to confined debtors to appeal to th magistrates at quarter sessions, and that, if those magistrates see cause, they should be invested with an authority to refer the case to a jury, whose decision should be final, either to liberate the prisoner, or, if found to be fraudulent in his views, to recommit him to prison, as a punishment, for such time as should seem proper. It was also a part of his plan, that the creditors, on a similar appeal, should be able to obtain from debtors who may be disposed to prefer a prison to a fair settlement, a full account and surrender of their effects. These were the prominent features of the clause he should submit; providing also that the magistrates should, in all cases where they saw proof of fraud in an appealing debtor, be at liberty to remand him to prison for another year, if they thought necessary. The Noble Lord concluded with saying, that his wish was, that the bill should be now committed, that the clause he described should be inserted, the bill printed, and that the discussion should take place on a recommittal on Thursday next.

Lord ELLENBOROUGH defended the system of arrest which had so long existed, as necessary to maintain that credit which was the life and sonl of the country, and he therefore opposed the Noble Lord's project. With respect to the Noble Lord's allusion to the 1100 prisoners released by the Society for relieving persons confined for small debts, he observed, that their confinement was necessary to maintain that credit upon which so many thousands of the poor subsisted; and if these eleven hundred persons were not confined, perhaps eleven millions would have starved. As to the general operation of the insolvent bill, he could state that persons were in the habit of rushing into the prisons the moment such bills were announced, in order to avail themselves of this indulgence. He believed, in fact, that the prisoners really entitled to the benefit of such acts were very few; and he was certain these few would, when their case was explained, not fail of success in an appeal to their creditors.

The LORD CHANCELLOR followed on the same side, and asserted, that among the most prominent features in the British character, was the humanity of an English creditor; and this he had an opportunity of knowing, from his own experience in the administration of the bankrupt laws. He had therefore no fear that persecution would be practised on the debtor whose inability was not attributed to want of principle or industry. With regard to the insolvent debtors' bills generally, they were to be considered with relation to the creditors as well as to the debtors, and to the public at large. To creditors he considered them unjust, to the public injurious, and to even debtors inhuman, for they encouraged

improvidence. So much was he of that opinion, that, instead of agreeing to the Noble Lord's proposition to prevent arrest for any sum under 20*l.* he would rather recommend to allow it for any sum over 5*l.* as really more humane and best calculated to prevent litigation. As to this bill in particular, he understood, that from the first time it was mentioned persons rushed into prison, in the hope of benefiting by it, and that every step it had gone through the House the number was increased.

After an able reply from Lord Moira, the motion for committal was rejected, with only one dissentient voice, and the bill of course was lost.

[Negotiation.]—Lord Pelham began by adverting to a notice of a motion from a Noble Lord, which stood for Monday, and stated that he had a communication to make, which would, he supposed, supersede the necessity of that motion, though he had to regret that this communication was not quite conclusive upon the subject; and he had still more to regret, that it was of a nature which must be more painful to the feelings of their Lordships, than all the suspense and uncertainty in which the House and the country had been so long but so necessarily placed. The subject of this communication he observed to be, with regard to a circumstance particularly which had taken place this morning, and of which he thought it his duty to inform their Lordships. The French Ambassador had, in pursuance of instructions from his court, applied for a passport, which was of course granted. He had also to mention, that his Majesty's Ministers had some days since sent directions to Lord Whitworth, that if he should not be able, within a certain period, to bring the negotiation to a point, he should leave Paris. They had not, however, yet received any communications from that Noble Personage to apprize them of the event, whether he had terminated the negotiation, and actually left Paris, though, in his opinion, his Lordship was on his journey home. However, until Ministers received intelligence from him, his Majesty would not be enabled to communicate to the House that full and satisfactory information which he was anxious to do, and which was desirable and necessary. This, he had confident expectation, would be laid before their Lordships on Monday next, to which day he should propose an adjournment. Understanding that some Noble Lords objected to the delay, he thought it necessary to observe, that it would be perfectly impossible to make the wished-for communication sooner; and he saw no necessity that existed, nor any use that could arise from sitting to-morrow, contrary to the general custom.

Lord Darnley could not persuade himself that it would be proper in him, from the kind of statement which the Noble Secretary of State had made, to withdraw the notice he had given of a motion for Monday; on the contrary, he thought it still more necessary. However he felt under these circumstances, he was most decidedly of opinion that it would be highly improper to adjourn over till Monday. In such a state of affairs their Lordships should continue at their post, for something might occur, even within twenty-four hours, which would require the assistance of their advice. The Noble Secretary had indeed promised a satisfactory communication on Monday; but he spoke not in the language of certainty, and he therefore felt disinclined to abandon the motion he proposed to bring forward. The system of confidence in Ministers had been too long followed up—this indulgence ought now at least to terminate. The mischiefs of delay were but too obvious; and, among its consequences, the late disgraceful transaction at the Stock Exchange was very fairly to be classed. He would not, therefore, consent to any farther procrastination, but would on Monday, unless the proposed communication should be made on that day, call upon Ministers for their defence, and for an explanation as to the present state of the country. Upon this he was determined to take the sense of the House. With respect to the adjournment, he thought it ought not to go beyond to-morrow; but he would leave it to some Noble Lord of more weight to propose a motion to that effect.

Earl Spencer was surprised that Ministers could attempt to propose any adjournment beyond a single day, in such a conjuncture as the present. It was to be sure stated, that it would be impossible for Ministers to give full information to the House as to the cause of that conjuncture before Monday; but that was not a reason why their Lordships should not continue to sit, at a time when we might perhaps be within an hour of absolute war, when we were unaware of the amount of the dangers which menaced the country, and of the provision made against them. The House would desert its duty, if upon such an occasion it consented to any longer adjournment than was really necessary. It was rather, in his judgment, incumbent on their Lordships to take up the subject of public affairs with zeal and promptitude, and interpose between Ministers and the Crown, in order to save the country. It might be said that he was prematurely entering into the question, that he was making observations which had a tendency to excite ill humour; but he would not be influenced by arguments drawn from such sources. It would be culpable any longer to attend to such remarks. Too much forbearance had been manifested, and the country

had reason to regret it. The Noble Lord concluded with moving, that the word "to-morrow" should be substituted for "Monday next."

The Lord Chancellor professed his regard for all those who felt a warm solicitude for the public interest, and paid a close attention to their public duties; but he did not see that any advantage could arise from the attendance which the amendment proposed. As to the censures which a Noble Lord had thought proper to pronounce on the measures of Ministers, he thought that it would be but candid in that Noble Lord to suspend his censures until he should know what those measures were. It was undoubtedly desirable that their Lordships should, by the faithful execution of their duty, deserve the approbation of the country; but he was certain their attendance to-morrow would not in the least degree tend to raise them higher in the estimation of any part of the thinking and rational public. The House could not go into the subject of the present state of the country, until the communication should be made, which his Noble Friend had said it was impossible to prepare before Monday, and therefore he would ask, what end it could answer to meet to-morrow?

Lord Darnley could not pretend to the accuracy of expression which distinguished the Noble and Learned Lord who spoke last, and he was therefore, perhaps, liable to be misunderstood. He could assure that Noble Lord that he had quite misunderstood his sentiments, for he meant not to make any strictures on Ministers at present. He only expressed the anxiety which he, in common with every Englishman, must feel for a complete and explicit statement as to the present situation and prospects of the country.

Lord Carlisle remarked on the objections made to the amendment by the Noble and Learned Lord on the woolsack. His Noble Friend, when he alluded to the protracted negotiation, did not, he was sure, mean to confine the allusion merely to the seven weeks which had elapsed since the message of his Majesty was delivered to the House, but to the nineteen months negotiation in which Ministers had been engaged since the signing of the preliminaries which succeeded the treaty of Amiens, and which had so long kept the country in suspense. This was the first object of his Noble Friend's animadversion. It was not to be supposed that their Lordships would not rise higher in public estimation by paying such attention to the state of affairs at this moment, as their nature urgently called for. The Noble Secretary of State had informed the House that the French Ambassador had applied for a passport, and was about to leave England; and that Lord Whitworth was instructed to leave Paris, and in that Noble Lord's opinion he had actually left it. If so, was not that, he would ask, a state of war, and could the House then agree to one hour's unnecessary adjournment? The public mind was in a state of inexpressible anxiety, and their Lordships should use their utmost endeavours to allay it. According to the report without doors, he would not say that it came from Ministers, but he understood it to prevail among intelligent persons, a messenger was hourly expected from France, with intelligence from our Ambassador. If so, why postpone the satisfaction of the public mind to Monday next? Curiosity ought to be gratified as soon as possible. Ministers ought to have felt it, and the proposition for a short adjournment ought to have come from themselves. However, he trusted the House would fully consider their duty, and adopt the motion of his Noble Friend.

HOUSE OF COMMONS.

Friday, May 6.—(See Minutes, p. 811.)

[The negotiation.]—The Chancellor of the Exchequer rose.—Before, said he, I make the usual motion, that the House, on its rising this day, do adjourn till Monday next, I think it proper to say, that I expect to have a command from his Majesty, to make a communication to the House on that day respecting the issue of the discussion between the two governments, together with an intimation that all the papers and documents connected with that important subject shall also be very speedily submitted to the consideration of the House. Even under the circumstances in which the House and the country stand at the present moment, I feel anxious to inform the House, that the French Ambassador has this morning applied for passports, for the purpose of availing himself immediately of them as soon as he should learn that Lord Whitworth had quitted Paris, which he had reason to suppose had already been the case. It is true, indeed, that Lord Whitworth was instructed to leave Paris on a certain day, if he found it impossible to obtain a satisfactory answer to the point upon which his Majesty's Ministers had pressed for a final decision. No accounts have yet been received that this answer has been given, and therefore it is probable, indeed more than probable, that before this time Lord Whitworth had left Paris. I trust the House will feel the propriety of my not entering into any further explanation on the present occasion, and of agreeing to the motion, that the House, on its rising, adjourn till Monday next.

Mr. Fox would trouble the House but with very few words. The House must feel that the present was a most critical and awful mo-

ment: and if things were brought to this melancholy state, he could not help saying that the House should take the earliest opportunity of obtaining information respecting it. Any delay might be of the most serious inconvenience; and if it was possible that any further communication could be made to-morrow, the House should hold itself in readiness to receive it. If the House did not meet to-morrow, two days must elapse before they could receive any additional light on the present uncertain posture of affairs. There was nothing decisive in what the Rt. Hon. Gent. had said: on the contrary, the House were left in a still more painful suspense. The sooner the matter was brought under consideration the better; for the discussion that would take place upon it might prove of the most material importance. Not a moment should therefore be lost in taking the opinion of the House upon it.

Lord HAWKESBURY did not think that any official and regular communication could be made to the House without the knowledge that Lord Whitworth had actually left Paris. It was uncertain whether that could be known early enough to make any communication respecting it to the House: he was also at a loss to conceive what inconvenience could possibly arise from so short a delay. It had already been intimated to the House by his Rt. Hon. Friend (the Chancellor of the Exchequer), that a message would be brought down from his Majesty on Monday, and that his Majesty would order the different papers and documents relative to the negotiation to be laid before the House for their consideration. These documents would enable the House to decide upon the propriety or impropriety of the conduct which Ministers had pursued during the important and arduous discussion in which they have been engaged; but before these papers were duly before the House, and before they were possessed of the information to be gathered from them, it was impossible for the House to see the question in a full and fair light, and consequently they must be unable to come to any thing like a determination respecting it. Surely so short a delay, under such circumstances, could not be productive of any bad effect, more especially as Ministers were ready to assure the House that they should not lose a moment in advising his Majesty to order every possible information to be laid before them that could afford the fullest explanation of the actual state of the difference between the two countries. Before that information was before the House, any discussion of the question must, in his mind, be unsatisfactory and premature.

Mr. GREY.—The present occasion I conceive to be one when the House should not altogether and implicitly rely on what was recommended by his Majesty's Ministers. The present is a moment of such serious difficulty and danger, that the House should judge and decide for themselves; and I trust that the House will not agree to postpone their sitting till Monday, but that they will determine to meet to-morrow. The Rt. Hon. Gent. (Mr. Addington) says, that he has reason to apprehend that Lord Whitworth is on his return. Indeed, I cannot pretend to know officially on what particular day Lord Whitworth had orders to leave Paris; he did not receive the final answer which Ministers seem to have expected: but if any attention was to be paid to the rumours that were afloat, it was neither impossible nor improbable that his Lordship might arrive in the course of this day, or early to-morrow. Most undoubtedly Ministers, in compliance with their duty, in compliance with the anxious desire of the House and of the country, and in compliance with the severe and heavy responsibility they had incurred—a responsibility heavier than ever hung upon the shoulders of any former Administration, should seize the earliest opportunity to relieve the House from its present anxiety, and not let a day or an hour pass in making that communication which has been so impatiently expected, and so long delayed. The advice which the House might give his Majesty on so trying an occasion might, under the present circumstances, be of the most important consequence, and such indeed as might rescue the country from the difficulties and dangers to which it was now exposed. The delay of an hour might therefore be of incalculable disadvantage. When the communication was made, a day would be appointed for examining and discussing the conduct of Ministers, and that conduct must, no doubt, be brought to a strict inquiry and examination. But if the House decided to meet to-morrow, that discussion might be entered into two days sooner than otherwise it can be. The Noble Lord (Lord Hawkesbury) objects, however, to its being brought forward until all the papers respecting the negotiation were ready to be laid upon the table. Was it possible then, that, after all that has been said, Ministers could be so remiss as not to have prepared every possible document that can tend to explain and justify their conduct—a conduct which to every observer must appear so mysterious and unaccountable? That they were so prepared I cannot permit myself to doubt. Under that conviction, and under the present circumstances of the country, I am almost confident the House will not agree to the proposed adjournment; for when the promised information is laid before the House, some time must elapse before it can be printed, and before the discussion can be fully entered into. The least delay should not therefore be admitted; and with that view he should move an amendment, "That the "House do adjourn till to-morrow, instead "of Monday."

Mr. CANNING was anxious to distinguish the grounds upon which he should vote for the earlier day. He could not agree with the Hon. Gent. who moved the amendment, that Ministers could be prepared to lay before the House the full information that was expected from them; at least he had no expectation of receiving any such information to-morrow; but he still was anxious that the House should meet to-morrow, even though they should only meet to adjourn again; because, at a moment of such unprecedented alarm to the country, the House should not be absent for a moment from their post. Both the Rt. Hon. Gent. and the Noble Lord have acknowledged that they cannot as yet make a final communication to the House, though they may be able to give some additional information to-morrow to what they have given this day. From what they have said this day, the House might conclude that Lord Whitworth has already left Paris; but certain information is yet to be obtained respecting that event; but this information may be had to-morrow, and it will make that certain which is now only a strong conjecture, and a conclusive probability. Was any man prepared to say, that after what has passed within these two days, the earliest possible information was not necessary? [*A cry of Hear! hear!*]—But it might be said, there were other modes of making the communication, should any accounts arrive to give room to one. To this he should only reply, that if any one knew a more constitutional mode of conveying such information to the country than through Parliament, he wished that mode might be pointed out to the House. If to the doubtful intelligence now given to the House, one single atom more of certain information could be added within twenty-four hours, he could not see with what consistency those who have all along expressed such anxiety for information could vote for taking away from the House the opportunity of receiving it. On this ground it was that he wished the House not to adjourn beyond to-morrow. He was not eager for any hasty discussion, nor would the meeting to-morrow tend in the least to precipitate the expected discussion. But surely the House should shew the country that they sympathized with the feelings of the country, and they would not be thinking of giving themselves a holiday, while all around was confusion, anxiety, agitation, and dismay.

The SECRETARY at WAR did not imagine that it was possible to afford any more information to-morrow than was communicated to the House this day. He hoped the House would consider how derogatory it would be from their dignity to continue sitting on a day not usually employed in business, merely because the French Ambassador had thought proper to apply for passports, especially when there was no probability of obtaining any more distinct information than what had already been submitted to them. Were it probable that any practical advantage could be derived from sitting to-morrow, he was ready to admit the propriety of so doing; but when there was no such probability, he must again repeat that it would be beneath the dignity of the House to sit waiting in momentary expectation of some accounts from the French government, and that merely because the French Ambassador had applied for passports. Lord Whitworth most likely may have left Paris on Tuesday or Wednesday last; but it should be recollected that he travelled with a numerous retinue, and consequently it could not be expected that he could arrive sooner than to-morrow evening, or at an hour too late for any communication to be brought down on that day: even should the House meet to-morrow, it would be impossible for them to enter a moment earlier into the discussion of the question, than at the time to which it was intended to defer it; for it could not be fairly discussed until the House were in possession of all the papers connected with it. When they were before the House, then would be the time to enter coolly and deliberately into the discussion, and in a manner suitable to the wisdom and gravity of Parliament. If the House met to-morrow, it was likely that something might be started which would give rise to a discussion that might be attended with the worst consequences both here and abroad: on that ground principally he should resist the motion.

Mr. CANNING, in explanation, said, that he did not look for any papers being presented to-morrow. All he insisted on was, that if the fact that Lord Whitworth was actually arrived could be ascertained to the House, it was their duty to be at their post to receive the intelligence.

Mr. LASCELLES and Mr. WHITBREAD rose at the same time. There was a general cry to hear Mr. Lascelles, but the Speaker called to

Mr. WHITBREAD, who gave it as his opinion, that the House would but ill consult their dignity if they were not to be found at their post, waiting to see in what state the country was really placed, and how it could best be extricated from its present difficulties. He therefore differed widely from the Hon. Secretary at War, for not a moment should be lost in inquiring into the present posture of affairs—it was truly alarming.

HOUSE OF LORDS.

Monday, May 9.—(See Minutes, p. 811.)

[NEGOTIATION.]—Lord PELHAM observed, that under the particular circumstances of

the case, he had a communication to make to their Lordships relative to the negotiation with the government of France. He alluded to the notice recently given by a Noble Earl, that he should on that day bring forward a motion respecting the subject, if no communication were made. Motives of respect to that Noble Lord, as well as to the House in general, induced him to come forward, and state what had come to the knowledge of his Majesty's Ministers, as having taken place since the period he had last mentioned the subject to their Lordships. He reminded the House, that he had stated on a former evening, that on Friday morning the French Ambassador had applied for passports; and he had farther apprized the House, that his Majesty's Ambassador had orders to quit Paris on a certain day, in case the matter in discussion were not likely to be brought to a favourable issue. He had now to state, that circumstances, however, had since occurred, which had induced a delay on the part of his Majesty's Ambassador at Paris; but this circumstance was not attended with any other changes than the necessary delay which arose from the proceeding. However, he entertained a confidential hope that he should, in a short time, be able to come down with a regular communication upon the subject to the House.

The Earl of DARNLEY could not avoid expressing his sense of the degree of candour with which the Noble Secretary of State had conducted himself on the present occasion. As circumstances stood, he felt himself inclined, with a reference to what had fallen from Ministers, and considering what was due to decorum on such an occasion, to decline giving their Lordships any further trouble at present, than merely to state his understanding, that it was the intention of Ministers to take the earliest opportunity of bringing this long-protracted negotiation to a speedy issue. However, while he was on his legs, he should take the opportunity, with the permission of their Lordships, to state the grounds of his projected motion. In framing that proposition, he had no idea of attempting to criminate his Majesty's Ministers, on account of any thing which hitherto appeared in their conduct; but he, in common with all their Lordships, and with the country at large, felt that it was desirable and proper, that such a long and protracted negotiation should be brought to a point: his wish, however, was not to do any thing that might embarrass Ministers. At the same time, he might be permitted to doubt whether any good could possibly arise from such procrastinated delay; and on these general grounds it was that he intended to come forward. Having said so much, he wished farther to premise, at the same time, that he should feel it incumbent on him, if it should appear contrary to every expectation held out that night, and contrary to his own feelings as to what should be the right line of conduct that Ministers should think fit again to enter into a protracted negotiation, and (so we understood the Noble Earl) again to express themselves in terms of uncertainty, to come forward and again trouble their Lordships on the subject, and with a detailed statement of his reasons in favour of an address to his Majesty, expressive of what he thought should be the sense of the House in such circumstances, and urging an inquiry into the causes of a delay, which he was convinced must be injurious to the real interests of the country. He concluded by moving, that the order which was made respecting his intended motion of to-day be discharged.

Earl SPENCER begged leave to take the opportunity to offer a few observations upon the subject under their Lordships' consideration. He perfectly coincided with the Noble Earl who had just sat down, in the propriety of his waving his proposed motion under the present circumstances. He was of opinion, that, after the communication of this day, it would be highly unadvisable to make a motion of that kind: when the obvious situation of the country was considered, it could not satisfactorily be discussed. The real grounds on which he thought the House would consent to a farther delay were, in his view of the affair, neither more nor less than these: all who thought they saw reason, from what they knew, to approve of the conduct of Ministers, would of course agree to the proposition; while, on the other hand, others, and those with whom he joined in opinion, were averse from taking any steps which might embarrass his Majesty's Ministers, who were already in a situation of great difficulty. However, in other points of view, those who acted on the principle he had latterly alluded to, might think it proper, and in other circumstances would feel themselves called upon, to urge repeatedly for the necessary information on the real state of the country. With respect to the line of proceeding that day adopted by the Noble Earl, he repeated it was, in his mind, judiciously conceived; but he could not help observing, that, by what transpired that day, it appeared that unforeseen circumstances, as alluded to by a Noble Friend of his, had actually happened, which it was proper the public should be informed of, and, at the earliest opportunity, through the medium of Parliament, the more especially for the purpose of relieving those doubts to which uncertain reports must necessarily give rise.

HOUSE OF COMMONS.

Thursday, May 12.—(See Minutes, p. 812.)

[BILL OF INDEMNITY.]—The ATTORNEY GENERAL said, that the papers upon which

he should ground his motion having been laid before the House, Gent. were of course in possession of the subject: his intention was to move for a bill of indemnity for all the persons who issued, or who carried into execution, the orders for prohibiting the exportation of military stores, and for permitting the exportation of a certain quantity of seed corn to Norway. As these two orders depended upon circumstances that were distinct, he would take them separately; and first, with regard to the permission to export a certain quantity of seed corn to Norway. Representations having been made by the Danish government, stating the great distress that was experienced in Norway in consequence of the failure of the harvest last season, and asking for permission to export 5000 quarters of barley and oats from this country into Norway, as seed corn, the Secretary of State communicated that request to the Lords of the Treasury, and urged the importance of the object, and the advanced season of the year. That such a request ought to be complied with he did not suppose would be for a moment doubted, when the nature of the application was considered, and the quarter from which it came. The application was made by a neighbouring nation, in amity and friendship with this country, and it was only for a small quantity of seed corn to rescue Norway from the danger of a famine. He should do injustice to the House if he took up their time in arguing such a point. The propriety of granting this request was not only clear upon the principles of liberality, charity, and good neighbourhood, but even the most narrow and contracted mind must be sensible of the expediency of complying with it; because this country was interested in the produce of the harvest of neighbouring countries; because, if their harvests failed, they must be supplied from those sources from which we derived our own importation. These considerations would induce Government at any time to comply with such a request; but this application was made at a time when there was nothing connected with our own markets, which would justify a refusal. The application was made on the 24th of March: all that time the order of Council for prohibiting the exportation of corn was near its expiration, and Government were actually considering whether that order should be renewed or not. Urgent applications were made by the trade against the renewal of the order; but it was renewed upon other considerations besides those which related to the state of our markets. Under these circumstances, an order was issued by the Lords of the Treasury to permit the exportation of the 5000 quarters. It was at first intended that the whole should be exported from Scotland, but it was afterwards thought expedient that a part should be sent from England. With respect to the other order, that depended upon other circumstances---but upon circumstances that made it, if possible, more clearly justifiable than the other.—A Noble Lord had given notice yesterday, that he should this day move for certain papers respecting the prohibition with regard to naval stores. (Lord Temple said across the House, that was not the notice he had given.) The Attorney General said he had then misunderstood the Noble Lord. The House, he presumed, were aware how the law stood with regard to the power of the Crown to prevent the exportation of naval and military stores. That power, to a certain extent, was granted to the Crown by an act of Charles II. and had been extended to different articles of naval stores by other acts, particularly the acts of 29th Geo. II. and 33d Geo. III. therefore there was no question that Government had the power of preventing the exportation of those articles. Under these circumstances, information was received that a considerable quantity of stores was on the point of being exported to Holland and France; that information being received, he apprehended there could be no doubt but that it was proper to prevent it: but as it was a subject of great urgency, it was necessary that no time should be lost; a letter was therefore immediately written to the Board of Customs for that purpose. On the 6th of April an order was issued to prevent the exportation of gunpowder, saltpetre, arms, and ammunition, founded upon the 29th Geo. II. and not upon the 33d Geo. III. and therefore it did not extend to naval stores. This omission proceeded entirely from an inadvertence. They were afterwards informed that an unusually large quantity of lignum vitæ was ordered for exportation, which was also prevented. Under all these circumstances, he must admit, that in point of form neither of these measures were strictly legal; but he really could not bring his mind to believe that any body could find fault with the conduct of Government upon this occasion. The only point upon which any objection could be made was, that the House of Commons had not been immediately acquainted with it: this certainly should be explained. The necessity of an immediate communication to Parliament must be measured by the importance of the subject. If it was a case of great doubt, it was a stronger reason for an immediate communication. It was thought expedient that both measures should be communicated to the House at the same time; and Government were of opinion that, under the existing circumstances, it would be better not to make a communication which might appear to be of an hostile nature. Upon these grounds, he hoped the House would give him leave to bring in the bill which he then moved for.

Mr. COKE (of Norfolk) said, he attributed this measure to the motion he made some time ago for papers relative to the exportation of grain. He did not find fault with Ministers for permitting the exportation of 5000 quar-

ters, he was only surprised that the permission to export was not made general. If they had done so, they would have been entitled to the thanks of the country. He understood that permission had been given to particular persons to export this grain: this he considered as being done with a view to influence, for he understood that the permission was given to persons who were Members of that House. Last year there was permission given to re-export some damaged corn, which was actually sent to Barcelona. If ever there was a Minister who ought to have granted general permission for the exportation of grain, it was the present Minister, on account of the enormous duty he last year laid upon malt; but he was not astonished at it, because no Minister, in his remembrance, had ever attended to the landed interest.

Lord TEMPLE said, he did no object to this motion: he did not think Ministers were wrong in preventing the exportation of naval stores; but he wished to know whether there was any order in existence before against the exportation of military and naval stores.

The CHANCELLOR of the EXCHEQUER said, there was no order in existence before the one alluded to of the 6th of April. That order was intended to extend to naval stores, but it was omitted by inadvertence. On the 31st of March a letter was received by Mr. Vansittart from the Custom-house, stating that inquiries had been made by persons connected with houses on the continent, to know whether there was any order in force to prevent the exportation of saltpetre. It was impossible to hold a Council the next day; but he consulted with some of his Majesty's confidential servants, and they were unanimously of opinion, that the exportation of saltpetre should be prevented, till the authority of the King in Council could be had. This certainly was not an order of Council, but an order was issued on the 6th of April, which, from the inadvertence he had mentioned, did not include naval stores. It was not thought expedient to abstain from promulgating that order at that time, but the Hon. Gent. (Mr. Coke) was mistaken in supposing that it was his motion that had induced Ministers to apply for this measure, though he certainly had in some degree accelerated it. But he wished to state generally, that similar considerations of policy that led to the prohibition of the exportation of naval and military stores, occasioned the renewing of the order of Council to prevent the exportation of grain. He agreed with the Hon. Gent. (Mr. Coke), that nothing but strong reasons would have justified the prohibition of the exportation of grain under the present state of the markets; and, in his opinion, if it had not been for the circumstances to which he had alluded, the prohibition would not have been renewed; but he wished to observe, that it was renewed for the unusually short space of one month. As to what the Hon. Gent. had said about the selection of persons to export this grain, he could assure the House he knew of no selection; Government did not interfere in any manner; he did not even know the names of the persons till he came into the House, and then he learnt that a Gent. of great respectability had been employed, not by Government, but by the Danish Minister.—[*Here* Mr. Fox *shook his head, and smiled.*]—The Chancellor of the Exchequer said, he asserted this to be the fact, and he was entitled to credit for his assertion. As to what the Gent. alluded to, as happening in 1802, he was totally unacquainted with it; but if the Hon. Gent. would move for any papers upon the subject, he should have no objection to it. On the 24th of March the application was made by the Danish Minister: directions were sent to the customs of Scotland on the Friday, and the House did not sit on the Saturday or Sunday. The next week the question of continuing the order of Council was discussed, and on the 31st of March the order respecting naval and military stores was sent to the Custom-house. These circumstances occurring at the same time, it was thought better that the promulgation should not take place till the discussions which were going on at Paris should be terminated, as a hostile interpretation might be put upon it. He was ready to admit and contend, that there ought not to be any interval between a violation of the law and a communication to Parliament, if it was not justified by public convenience. It remained for the House to consider, whether Ministers were justified in what they had done, and whether there was any unbecoming delay in making this communication to Parliament; which certainly would have been delayed a few days longer, if it had not been for the motion of the Hon. Gent.

Lord TEMPLE said, the point he wanted to be informed about was, whether there was any order to prevent the exportation of military and naval stores, between the signing of the preliminary and definitive treaty of peace.

The CHANCELLOR of the EXCHEQUER said, he did not immediately recollect, but he would inquire into the subject.

Mr. Fox said, he did not mean to insinuate that the Rt. Hon. Gent. used the power he had alluded to from any improper motive whatever, but yet it was apparent that such practices as these were the grounds of abuse in all the governments of the world. The Rt. Hon. Gent. had said, he did not know any of the persons who had this leave to export corn, nor had he any share in the recommendation of any individual for that purpose: now suppose the Rt. Hon. Gent. to be as free as he

admitted he was, for he was really as unlikely to have any share in such a transaction as this, as any Minister whatever, yet it was possible to suppose that persons in very inferior situations, who had never been considered the most pure of the people, had some share in recommending particular individuals to the conduct of this business; why then it would be a grievance in that sense, because it was a favour to some individual upon a subject which the public ought to be acquainted with, either by law, or a direct communication to that House; and therefore this practice was liable to make an unfavourable impression on the public, without imputing, as he certainly did not impute to the Hon. Gent. or the lowest person connected with him, the least impropriety of motive. He thought, however, that application should have been made to Parliament at once, and as the thing had happened five weeks ago, some inconvenience had arisen by not coming to Parliament; nor did he see the connexion between the points of the exportation of corn and the other political topics stated by the Rt. Hon. Gent. and which prudence had required to have been concealed. He thought the whole of the argument laboured very much in that part on the other side. The Rt. Hon. Gent. said they were connected, but he had adduced no argument to shew their connexion. He did not object to any thing done by Administration, but to the manner of doing it: he thought it should either have been done by act of Parliament, or a communication should have been made to the House, and it should have been done under the sanction of the House; for he owned his inclination to be jealous of acts of indemnity for those things which might have been previously made the subject of communication to Parliament, the sanction of which might have made indemnity unnecessary, and that the more especially on subjects materially connected with the agricultural interests of the country.

The CHANCELLOR of the EXCHEQUER said, the Hon. Gent. had stated, that the argument laboured in that point where he said there was a connexion in the cases he had stated, that of the prohibition of naval and military stores, and the exportation of grain. Had it not been for those causes which produced both prohibitions, the order of Council respecting the prohibition, and the exportation of grain, would not have been renewed; but at the time the Lords of the Treasury consented to permit the exportation of grain, it was matter of great doubt with the Privy Council whether they should or should not renew the prohibition: in one of these events, namely, the not determining to renew the prohibition, the application of the Danish Minister would have been unnecessary; and it was on that ground he conceived his Majesty's Ministers were justified in not coming to Parliament immediately. Had the order to prohibit exportation not been renewed, the exportation would not have taken place under the operation of law.

Mr. RYDER admitted it to be a laudable jealousy in any Member to suspect corruption in Government, where there was a foundation for it; but here there was not any, and the suspicion of the Hon. Gent. who spoke lately seemed to be applied to all governments in general, but to have no specification as it referred to our own. The Hon. Gent. had said, that Government should have come to the House at once with a communication upon the subject. Now if Government had intended to act corruptly, they would not have come to Parliament at all with the communication the Hon. Gent. seemed to wish; nor would their so coming have prevented them from acting corruptly in this case, if they had been so minded: for if Parliament had been applied to for leave to export 5000 quarters of barley, all that Parliament could have done would have been to give that leave, and then who should procure and furnish it, would have rested with the Danish Minister, or it would have rested with Government to employ the person who was to export it. In neither case would the interference of Parliament have taken place to prevent corruption, if any such had been intended, which certainly there was not. He then took notice of the order in Council for exportation, and approved of what had been done respecting it; and concluded with observing, that he could not help thinking there never was an attack upon Government more feebly made than this, nor any that was less supported.

Mr. Fox said, that if the thing had been done by Parliament, instead of being done by Ministers, it would not have given them power to favour any persons whatever: besides, these things had a very serious effect; for a man having a great deal of corn, and wishing to export, and another was allowed to do so, and no communication was made of it, he would naturally say, why should one man be allowed to do this, and another should not? Now this inconvenience would be obviated by a communication to the House, for then the thing would be open.

HOUSE OF LORDS.

Friday, May 13.—(See Minutes, p. 812.)

[FINANCE.]—Lord KING rose pursuant to the notice he had given, to state his sentiments with respect to this important subject. He should not, he said, have come forward, had any other Peer, more able and more conversant on the subject than himself, appeared inclined at least, in his mind, sufficiently early to agitate the discussion. Their Lordships were aware, that a variety of financial ac-

counts, some of a voluminous nature, were on their Lordships' table. These were ordered, for the most part, on the motions of a Noble Lord opposite to him; but in what he was about to submit to their Lordships' consideration, he should chiefly confine himself to those accounts presented previous to the delivery of his Majesty's message, and from which too flattering deductions had been made, with a view, no doubt, of raising the public confidence; but under impressions of public duty, and with a view to evince to the country its real situation in point of finance, he felt it incumbent on him to examine with strictness and precision, and the results which he should be able to make, he doubted not, would be of a very different nature from the deduction to which he had alluded. The Noble Lord then proceeded to a detailed examination of those points of the accounts upon the table, to which he said he should direct their Lordships' attention. With respect to a part of these, his object seemed to point out some great and important differences in the modes of stating the heads of revenue, expenditure, &c. with a view to evince the necessity for a subsequent detailed and deliberate inquiry. From his view of these items, he argued that the different heads were in some instances, as those of income, revenue, &c. over-rated; in those items which regarded the expenditure and disbursements, under-rated. To establish these positions, his Lordship entered into a variety of calculations and details, which, as they mostly consisted of comparative statements, were the more complex and abstruse: we therefore, under the apprehension of unintentional mis-statement, shall not attempt to follow his Lordship. He touched, but not weightily, upon the statements made by the Chancellor of the Exchequer, and entered into some calculations to shew the erroneous tendency of part of his statements. He then adverted to what had fallen from a Noble Lord opposite to him on a former night, respecting the general subject, and contended that there could by no means be such an aggregate as a sum exceeding sixteen millions, applicable to public purposes. In arguing this point, his Lordship seemed to say, that the British and Irish expenditure were not sufficiently discriminated. He then commented upon the real circumstances of the consolidated fund, and the state of actual expenditure, and contended, instead of there existing a considerable surplus, as argued on the part of the Minister, there was a real deficit to a considerable amount, inasmuch as there remained, after a due and candid statement of the whole supply and ways and means, a sum of only 9,172,000*l.* to cover an expenditure of more than sixteen millions. He then took a view of the different ways in which the national income could be equalized, one of which means, namely, an appropriation of the sinking fund, he thought none could dare to propose. Drawing towards a conclusion, he censured the system, particularly with respect to finance, pursued by Ministers, in concealing from the country its real state in that respect, and holding forth the hopes of seeing a surplus, when in fact there existed an alarming deficit. Upon the whole, he deemed the general subject well worthy the serious attention and minute consideration of their Lordships; and in that view he should move for the appointment of a committee for the purpose of inquiring into the real situation of the finances of the country, and to report their opinion of the same to the House.

Lord Auckland rose, and combated the positions of the Noble Lord who had just sat down. He contended, that no satisfactory ground whatever had been laid down by his Lordship for the institution of such an inquiry. He took a comprehensive view of the principal financial disquisitions which had taken place since the accession of the late Administration to power, and particularly dwelt upon the proceedings of the committee of 1786, and exhibited a regular financial history of the country since that period. With a view of bringing the subject fully before the House, he had moved for the production of a variety of documents, from a perusal of which any individual Peer could thoroughly satisfy himself there existed not the least necessity for the inquiry proposed by the Noble Lord. The statements with which he proposed then to trouble their Lordships, on the particular points in discussion, were comparatively reducible to a small compass. He reminded their Lordships, the discussion did not originate with him: a Noble Earl opposite was the first mover for accounts; but upon what had been said, he thought it his duty to state his own sentiments, and to move for additional documents, in order to bring the subject duly before the House. He thought, that instead of there being a considerable *minus*, as was asserted, he could evince there was a surplus of between three and four millions. In endeavouring to substantiate this position, he contended that the Noble Lord opposite had calculated upon erroneous grounds; the Irish part of the expenditure had nothing to do with his statement. He entered into a consideration of the different heads of the revenue, and dwelt with some stress upon the article of the bounties paid on account of corn and rice, the importance and extent of which never seemed to have been adequately considered. He argued, that every thing which occurred within the year made part of the real income of that period, and in the aggregate calculated, that amount would be found to exceed 34,345,000*l.* He then proceeded to the consideration of the consolidated fund, with respect to which we understood his Lordship to say, there existed a true and real surplus of more than seven millions. Recurring again

to the Reports of the finance committees, he observed the results shewed the progressive increase of the revenue, and the improved energies of the country. He then exhibited a view of the number of ships, men, and tons, employed at different periods in the merchant service, which abundantly proved that the commercial kept pace with the financial prosperity of the country: and those in the last year, he observed, were treble to what they were in 1779. Adverting generally to the national expenditure, his Lordship did not deem it incumbent on him, considering the view upon which he came forward, to dwell upon it in detail. He then alluded to the situation in which the country was placed, particularly with respect to its late adversary, a power which had not, since the pacification, manifested any genuine proofs of conciliation towards us; and observed, that it would hardly be recommended from any quarter, to reduce the present expenditure. His Lordship concluded with stating his disapprobation of the motion.

The Earl of MOIRA spoke in answer to what had fallen from the Noble Lord who spoke last, at some length: he complimented the Noble Lord who had introduced the subject, for the repeated display he made of talents which would one day become highly useful to his country: he deprecated the mode of substituting a branch of the subject, for the main points of it, and observed, that it was not so much on the details of the subject, as on its final results, that the merits of the question depended. In that view it was indifferent to him whether the Noble Lord was in error one, two, or three millions. He then entered into some calculations to prove the nonexistence of the surplus advanced by a Noble Lord on a former occasion. The accounts before the House, particularly those moved for by the Noble Lord, were of a very voluminous nature, and, in his mind, the subject required farther and deliberate inquiry.

Lord AUCKLAND just rose to explain, that the Noble Earl seemed to misconceive him; a part of what he adverted to, was by him only admitted for the sake of argument.

The Earl of MOIRA proceeded, and after contending that much of the financial statements on the part of Ministers was unfounded, adverted in some degree to their political conduct, of which, as it tended to operate, particularly in a financial point of view, he spoke in terms of disapprobation. He thought Parliament in these respects ought to act frankly with the country, instead of concealing its real situation. In the present stage of the business, and considering the voluminous nature of the accounts, even Members of that House could not become masters of the subject, still less the public at large. He contended for the existence of an alarming deficit, and strongly recommended the adoption of his Noble Friend's motion.

Lord GRENVILLE observed, that he should proceed to call their Lordships' attention to the subject upon which the Noble Lord had grounded his motion, though he, in some degree, differed from that Noble Lord as to what he had advanced; his object, however, in so coming forward, was not to place himself in opposition to any of the Noble Lords who had delivered their sentiments, but impelled by considerations of public duty, to shew, as far as he was able, and which he thought was the bounden duty of all, to shew to the country its true situation, by a fair and manly statement of the circumstances under which it was placed. That system of concealment which prevailed too much of late, had been carried too far, and particularly upon a subject, the most interesting of all others to the country. He thought no Member of that or the other House of Parliament, had need to apologize for bringing forward a subject of such vital importance fairly to the view of the country. There must, however, be persons conscious of not having thus come forward to serve the country: but with respect to Parliament generally, it was necessary they should open the eyes of the country, and, particularly in such a momentous crisis as the present, shew them their real situation: it ought to be made clear to the country, whether or not its finances were in that state, that there existed a large disposable surplus, or a real alarming deficiency. In contemplating the circumstance of a deficiency, it should be further inquired into, whether there really existed a necessity of supplying those deficiencies by that most ruinous of all financial measures, a system of peace loans? He acknowledged the utility of the various accounts which had been laid before the House; however, in the important, but perhaps rather general view which he then meant to take of the subject, he was saved the trouble of adverting to them in detail; a casual reference would be sufficient for his purpose. Those which he should have occasion to refer to were of unquestionable authenticity, being signed by the Secretary of the Treasury, and the results of these, he meant to contrast with the statements made by the Chancellor of the Exchequer himself, taken from a publication issued by authority into the world, and with a view to the full information of the public; and statements which he could not refrain from observing, had been fatally, to a certain degree, credited and acted upon by the monied interest of the country. In considering the subject before them, he disclaimed the least idea whatever of exciting any sensation of despondency. On a subject of this particular nature, he knew a speaker was more liable to misrepresentation than on any other subject, and in that view he felt himself called upon distinctly to state his firm conviction, that instead of there existing any real cause for de-

spondency or dismay, the country had upon every account just reason to be confident of the strength and adequacy of its own resources. The country was able to cover the existence of much greater deficiencies, and this he was perfectly able to prove; and farther, that it was not only equal to maintain its existence and independence, but even to repel aggression, and to take ample vengeance on the authors of that aggression: the Parliament, under such circumstances, should not shrink from its duty, but fairly call these resources into action, and provide a revenue fully adequate to meet the occasions of the country. It was in the recollection of their Lordships, that, a short time before the Christmas recess, the finance minister of the country, at an unusual period of the session, and in circumstances of extraordinary moment, anticipated the customary statement of the finances of the present year. The reason assigned for this proceeding was, the necessity of laying before the country a true picture of its finances; he was relieved from much trouble on the score of reference, as his statements respecting that display of the finances, were drawn from a publication which he had reason to believe was ushered into public notice under the authority of Ministers, and therefore it could not be conceived to contain a false account of those statements. Notwithstanding these specious advantages, the effect of this publication was to delude every monied man who placed confidence in it. On this head he could say much; but the consideration of the subject, in the view he alluded to, had better be left until the real budget of the present year should come forward, which in the course of a few weeks may be found necessary. Among other points of finance, that statement exhibited the melancholy expedient of a loan; but the question was, whether that was the last time such a measure would be recurred to? That publication contained also a statement of the revenue and expenditure of the country, and laid before the public the comfortable view of a surplus of even a million sterling. What the effect must be of such a statement on the public at large, and on the metropolis, may be easily conceived. It was not long, however, before doubts were entertained of the truth of these statements, and they had nearly fallen into complete discredit, when a Noble Lord was pleased to step forth, and contend that the calculations in question, instead of being exaggerated, were below the truth. In considering the real state of the question, he would undertake to prove, that the actual revenue at that very time, instead of yielding a surplus, was in fact more than two millions below the expenditure, which, as the result of that statement, exhibited a gross and inexcusable error of at least three millions sterling. In another point of view, he contended, that the actual revenue would be found to fall even four millions short of the peace establishment, as voted by the other House of Parliament in November last. In calculating those points, he should take the year as ending the 5th of January, and he had no hesitation in taking his statements from the documents he had before specified, and that the statement made by the financial minister on the 19th of December was full of the grossest fallacy. His first reference would be to the 29th page of the publication alluded to, and there the supposed expenditure was stated to be in the aggregate 11,530,000*l.* from which were to be deducted the 2-17ths for the Irish proportion, and also the Irish charges upon the consolidated fund: but afterwards was to be added a charge of 500,000*l.* which would make the total supposed expenditure of the navy, army, ordnance, and miscellaneous services, to amount to 10,533,000*l.* for Great Britain. In this part of the calculation he had to observe, that one material article of expense was entirely overlooked, namely, the extra buildings in the navy, which this year amounted to 900,000*l.* The average amount of this necessary expense during the last peace was about 500,000*l.* per annum; but allowing for the various differences which had taken place since that period, he thought the average expense of that department could not be estimated at less than 700,000*l.* per annum, which, added to the other articles of expenditure, would form a total of 11,233,000*l.* This would be the aggregate when the expenses could be reduced to the amount stated in the speech. In considering the amount of the revenue, as set forth in the same publication, the Noble Lord argued that certain heads thereof were not accurately discussed. He alluded principally to the consideration of the land and malt taxes. He then passed to a review of the statements in the consolidated fund, and described the real free revenue to be only that which was disposable after the payment of the interest of the national debt, and charges of the sinking fund: this was stated as amounting to 10,599,000*l.* to which was added, after the produce of the lottery (in calculating which his Lordship seemed to say, there was some mistake)—the expected contribution of 500,000*l.* from the revenues of India. In this part of his speech, his Lordship took occasion to panegyrize the Administration, and the abilities of the Noble Marquis, at the head of the government in India, whose talents, great as they were, in negotiation, war, and civil government, were, perhaps, exceeded by those he possessed for matters of finance, a ground upon which his enemies had unaccountably strove to calumniate him; but this reference, his Lordship observed, naturally depended upon the continuance of peace in India: this and other points made the supposed total of the ways and means to be 11,595,000*l.* which after deducting the hypothetical expenditure, as set forth in the same document, left an imaginary surplus of 1,032,000*l.* In controverting these statements, his Lordship entered into a variety of detailed calculations, drawn, as he had be-

fore observed, from the accounts before the House, signed by the Secretrry of the Treasury. He first adverted to the different heads of proposed reduction, upon which the foregoing conclusions were drawn, and which it would be superfluous to observe, were, in the present circumstances of this country, totally out of the question. He would consider what the actual situation of the country now would be, were the proposed reductions carried into effect. Under the head of the army, to reduce the expenses in the sum proposed, a number of about 25,000 men should be reduced, which, according to the plan of disposing the army, would, at about the period of the delivery of the King's message, not have left one foot soldier in Great Britain. In the head of reduction proposed for the navy, about 1,540,000*l.* was intended to be saved, and to do this, he calculated about 18,000 men must be reduced: this, according to the newly broached doctrine that ships might be ready for sea without men *(a laugh)*, may be practicable enough; but were the reduction actually made, we should now have no navy fit for service. After shewing the impracticability of those intended reductions, and calculating upon the indispensable expenses of the actual establishment, he contended that the permanent establishment, as arranged even in November last, would be 13,436,000*l.* A diminution was a consideration of possibility, but a considerable increase, one of great probability. His Lordship then proceeded to the consideration of the real income of the nation, and after touching upon the various sources from which it was derived, and the indispensable charges to be made thereon, he calculated the total of the actual ways and means to meet the real expenditure of the country, at not more than 9,682,000*l.* He then adverted to the Austrian loan, upon which, after commenting upon its origin, and the important circumstances connected with that measure, he declared his opinion, that it behoved Parliament to make provision for the interest of it, which he stated at about 497,000*l.* Pursuing the line of general calculation further, he stated, that the free revenue amounted to about 9,185,000*l.* which, calculated together with the heads of the genuine state he had given of the supplies and ways and means, would evince the deficiency he had set out with stating, of more than two millions sterling. The Noble Lord then proceeded to calculate the different heads of revenue and expenditure, upon a more enlarged scale, and to demonstrate deficits to a more considerable amount. He then expatiated on the conduct of Ministers, in rather concealing the true financial circumstances of the country, than coming forward manfully to meet the exigencies of the case, and at once render the revenue equal to the necessary expenditure of the country; and condemned the system of the political conduct of Ministers, as equally censurable with the others. He proceeded to comment on the conduct of Ministers, particularly with respect to their financial measures. At the same time he disclaimed all ideas of personal animosity; so far from it, that for several of them he entertained the warmest feelings of friendship and regard. The great object of his argument was to shew that they had not met the financial difficulties of the country in any one instance. He adverted to the salutary expedient of their predecessors, of raising part of the supplies within the year, which he thought they acted unwisely, as well as weakly, in not following up. Their abandonment of the system of finance laid down by these Ministers, had reduced them to the miserable expedient of peace loans, measures which would palsy the operations of the sinking fund, and check the gradual extinction of the public debt: he principally condemned the financial system pursued by Ministers, which, at the end of two years, left them with a real deficiency of four millions, instead of the boasted surplus of a million sterling: and he insisted, that no financial minister, in the present circumstances of the country, would do his duty, if he shrunk from the project of equalizing the actual revenue with the necessary expenditure of the country.

The Earl of WESTMORLAND defended the accuracy of the accounts. The expenditure, he said, amounted to 13,000,000*l.*; and when the produce of the consolidated fund and of the land and malt was deducted, the deficiency would not amount to more than about 3,400,000*l.* The produce of the old taxes had, he said, increased more than 3,000,000*l.* He must, however, enter his protest against the practice of making statements made in other places, and pamphlets, the subject of discussion in that House. In adverting to the expenditure of the present year, he said, that it was undoubtedly large, and ought not to be taken as an average criterion; but it should be recollected, that, under the present circumstances of the country, economy might only have invited the sword of the spoiler.

Lord PELHAM likewise defended the accuracy of the accounts, and objected to making the statements which had been made in other places, the subject of discussion in that House. Those accounts would have been much better discussed in another place, where they could have been properly met by the person who brought them forward. A severe invective had been made against that person, but it should be recollected, at least if the publication which had been alluded to, could be depended upon, that it had been stated by that person, that it would be necessary to make the revenue equal the expenditure. He observed that the Imperial loan could not with any propriety be considered as a subsidy, but as a loan to be paid by Austria.

The Bishop of ROCHESTER said, if it was merely a question whether the accounts on the

table were correct or not, it might certainly be proper to appoint a committee to investigate them, in order that, if there were errors, they might be detected; and if there were not, that the accounts might remain unsuspected and unimpeached. It was, however, to be considered, whether this was the moment for entering into such an investigation. This was peculiarly to be considered, because, perhaps, at the next meeting of that House they and the country might be called upon to unite in repressing the ambition and chastising the bad faith of one whom he could not, perhaps, at the present moment call our enemy, but whom he would designate as our most detestable friend.

HOUSE OF COMMONS.

Friday, May 13.—(See Minutes, p. 813.)

[STATE OF THE NEGOTIATION.]—Lord GRANVILLE LEVISON said, that he rose for the purpose of moving, that the House should at its rising adjourn till to-morrow. In making this motion he would not repeat the arguments which had been urged on Friday last, which appeared to him to be unanswerable. The events which had occurred since Friday appeared to him completely to justify those who voted against the adjournment till Monday. It would be in the recollection of the House, that the intelligence which arrived after that discussion completely contradicted the statement which had been made by the Minister. After the Rt. Hon. Gent. had stated, that Lord Whitworth had left Paris, it surely was a matter of sufficient importance to have communicated to the House on Saturday that he had not left Paris. Lord Whitworth, it was understood, remained at Paris, because some further propositions had been made; similar circumstances might again occur; but at all events, it was proper that the House should be at its post to receive any communication that Government might be enabled to make on so important a subject: he should therefore move, "That the House should, at its rising, adjourn "till to-morrow."

The CHANCELLOR of the EXCHEQUER said, he apprehended, that, independent of the objection which he felt to the motion of the Noble Lord, in point of substance, there was one, in point of form, which rendered it, he presumed, inadmissible. Such a motion, he believed, was never allowed to pass in that House: as matter of course the House would adjourn to to-morrow, without any motion, unless it should specifically determine to adjourn to some other day; and, therefore, the Noble Lord's motion was needless as well as unprecedented: the only way in which the motion now before the House could be regular in terms, would be that of an amendment to a motion to adjourn to some future day; neither would that be agreeable to the regular practice, until after most of the business which constituted the orders of the day was over: the Noble Lord would, therefore, allow him to say, he was not well advised with respect to the terms of his motion: he could have wished that the Noble Lord had given notice, that after the orders of the day were disposed of, he should bring forward this subject, if any motion should be made to adjourn over to-morrow; and the Noble Lord would allow him to say also, that until a motion of another description was made, this course was irregular; but the Noble Lord would soon have an opportunity of submitting the substance of his present motion to the House, for he intended to move that the House do at its rising adjourn to Monday next. Having said this upon the form, he would now, with the leave of the House, state the objections he entertained to the substance of the motion of the Noble Lord. The Noble Lord had said, that the circumstances which had occurred had disproved the statement made by his Majesty's Ministers: the Noble Lord was not correct in that statement. The statement made by his Majesty's Ministers was not disproved by the circumstances which had actually occurred. It was stated by him, this day se'nnight, not that he was convinced that Lord Whitworth had quitted Paris, for he had no knowledge of the fact, but that he had reason to apprehend it, and that apprehension arose from his knowledge of the fact that General Andreossi had applied for passports. It was an inference of his from this fact and accompanying circumstances, that Lord Whitworth had quitted Paris, and he then believed that Lord Whitworth had quitted Paris; but he never said Lord Whitworth had quitted Paris —he made no such declaration. The Noble Lord had expressed his regret that the House did not sit on Saturday last, and he had added his conviction that many gentlemen, and this was a circumstance worthy of observation, that many Gentlemen who voted in the majority for an adjournment to Monday, might regret the House did not sit. Now, he knew of no reason why that event should have excited any regret in the minds of any of the Gentlemen who voted in that majority; he was, on the contrary, convinced it ought to be matter of satisfaction on the part of those who supported the motion, that the House did not sit on the Saturday, as proposed by the amendment moved by an Hon. Gent. He alluded to the effect which might have resulted from their sitting on that day, and he begged the House would pardon him for not stating the reason for saying this. It was, however, his intention, if the Noble Lord had not superseded him, to propose that the House should, at its rising, adjourn to Monday next, and that he intended to propose exactly as usual, without any comment, being perfectly prepared, however, if any question was put

to him by any Member of the House, to answer it as distinctly as he could, consistently with his duty. On Friday last he had stated to the House the opinion which he entertained, which was, that Lord Whitworth was on his departure from Paris. He was not able, at present, to make any communication whatever to the House, or to express an opinion whether Lord Whitworth was or was not on his way from Paris, but there was no probability of any information whatever being received, so as to enable him to make any communication from his Majesty to that House to-morrow. The Speaker would observe on the regularity of the motion now before the House, after which, he presumed, the Noble Lord would not persist in it; and if so, he should afterwards move, that the House do, at its rising, adjourn to Monday next.

Mr. CANNING observed, that the Rt. Hon. Gent. who had just spoken, had stated two objections to the motion now before the House: one in point of form, the other in point of substance. If in point of form the motion was defective, the motion must fall, because it was irregular; but until he heard that from the Chair, he should be much inclined to doubt the irregularity of this motion; and he doubted it on the ground that the last motion upon this subject, which was this day se'nnight, was entertained. On that occasion the Rt. Hon. Gent. moved, "That "the House do, at its rising, adjourn to Mon-"day next," and the amendment proposed to that was, to insert "to-morrow;" and that was in substance the motion of his Noble Friend to-day; and as all the rules of the House were founded on good sense, he saw no reason why this motion should not be entertained in its present form; he could not enter into any distinction which the Rt. Hon. Gent. intended to take, for he could not see the difference between debating a thing in the shape of an original motion, and that of debating the same thing in the shape of an amendment to an original motion. The motion now before the House was the very same thing in point of sense as the amendment moved this day se'nnight by an Hon. Gent. and which was debated for several hours in that House, without any body being rebuked or corrected for it. He was not aware how the matter could be objected to now, not having been objected to then. He confessed, however, after having heard the statement of the Rt. Hon. Gent. on his own conviction, that the meeting of the House to-morrow would not enable him to make any communication to the House; he should, for one, not wish to press for a division; but here, again, he must take the distinction of the Rt. Hon. Gent. who said he had formerly spoken his opinion, as it was formed in consequence of the conduct of the French ambassador; that from that conduct he drew certain inferences. The Rt. Hon. Gent. was, however, he hoped, speaking not again on conjecture, but from some assurance that to-morrow he would not be able to make any communication to the House: if that was the case, the House should not take the trouble of meeting, because it would be only meeting in vain; but then he wished to understand the Rt. Hon. Gent. distinctly whether he now said, that he should not be able to make any communication to the House to-morrow? If he did not say so, he thought the House should be pressed to a division, and he should press it to a division, when so many Gent. felt as he did, and as his Noble Friend felt, that this was not a time when the House of Commons should consult its own ease, nor be even too scrupulous in adhering to its own usages, when either might be at variance with its great public duty. On the contrary, it was a time when the House of Commons should be unremitting in its labours, for the purpose of attending to the interests of the country: the House of Commons was the proper organ for conveying information from the Executive Government to the people; it ought therefore to be on its post, and be vigilant; nor could he help thinking, that a communication from the Executive Government to Parliament was a more constitutional source of information than a placard on the Stock Exchange, upon the question of peace and war. He did not think it consistent with the duty of the House of Commons to put itself into a situation in which they would not have the means of receiving information from the Executive Government and conveying it to the people, and that for no better reason than that they chose to take a holyday on Saturday.

The CHANCELLOR of the EXCHEQUER observed, that the observations of the last speaker were fair, upon the supposition that a communication might be made to the House to-morrow on the substance of the motion now before the House; but on the regularity of the motion he should appeal to the Chair, from which the House would derive correct knowledge upon the subject: he should be ashamed to refer to his own knowledge, although his attention had for many years been directed to the subject. He appealed to the Chair, whether, unless an adjournment was proposed to a day after the morrow, it ever was expressed other than as he had stated, namely, "that this House do now adjourn." What he had said this night had not been correctly repeated. He had said, that he was thoroughly convinced that no communication would be made to his Majesty, to enable his Majesty to make a communication to the House to-morrow; he thought that no communication ought to come from his Majesty to that House, until it was known that the negotiation had taken a satisfactory turn, or was totally broken off—until Lord Whitworth had arrived in this country. He

begged pardon, he knew he was irregular; he would go further, and say, he saw no probability of being able to make any communication whatever to the House to-morrow: that was his opinion; but if he thought there was a chance of that, he should think it incumbent on him to make a motion to adjourn to Monday next, because he could not reconcile it to what was due to the dignity of the House, or to the feelings of this country, that the House should sit on an unusual day, for the mere chance of a communication. The present motion was not formal or regular, and on which, therefore, no proceeding could be had.

Mr. GREY said that the motion of the Noble Lord was in such a form, that the House could not, consistently with its rules and with strict propriety, adopt it; but after that motion was disposed of in point of form, the House would have to consider whether it ought, under the present extraordinary circumstances, to adjourn to Monday, or to sit to-morrow. When assertions came from such authority as that of the Rt. Hon. Gent. they came with great weight: if he was convinced that no communication could in fact be made from his Majesty to the House to-morrow, he should accede to the motion of adjournment to Monday; but when the Rt. Hon. Gent. expressed some doubts upon that matter, and as it might happen that the House might require some information which the Rt. Hon. Gent. might think it improper for him to communicate, he owned he had some doubts as to the propriety of adjourning even to Monday. He wished the House to recollect a little the situation in which it was: it was now a week since the Rt. Hon. Gent. made an important and alarming communication, which disappointed the House of almost all hopes of an amicable termination to the negotiation. Since that, the Rt. Hon. Gent. stated to the House, that unforeseen and unexpected circumstances had prevented Lord Whitworth from leaving Paris on the Wednesday, yet that matters would in a few days come to a decisive issue, and that he expected information in a few days. Now he wished the House to consider its situation, and to examine into the propriety of adjourning over to-morrow. He knew that on the day when the Rt. Hon. Gent. had stated that Lord Whitworth was expected to have left Paris, intelligence had arrived to certain Members of that House, that night while the House was sitting; he had received intelligence himself that very night in the House, that Lord Whitworth had not left Paris, for the truth of which, if doubted, he could appeal to many of his friends about him. Now he wished to know how the Rt. Hon. Gent. could be sure that the decisive result, of which he had spoken, would not arrive here to-morrow? How could he say that such decisive result might not actually arrive this night before the House adjourned? Why, then, was it too much to ask, that the House should sit to-morrow, when the Minister would, according to all probability, be able to state to the House that decisive result for which the House and the public had so long and so anxiously waited? Let the House remark the difference of the situation now and that of last Friday. On last Friday the Minister told the House that no intelligence could arrive that night, an assertion falsified by the event; for intelligence did arrive, and at the very same time when the Minister said there was none. The Minister had said to-night, he was glad the House did not sit on Saturday last; and he seemed to congratulate the House that it did not assemble; and as a Minister he seemed to express a great deal of desire to impress the House with an idea of mystery, and to create alarm, for he had expressed much apprehension from the consequences which might have followed if the House had sitten on Saturday. What these consequences might have been, besides the public deriving information from the proper channel, he was unable to comprehend. Now the House was told, that information could not be given to-morrow; he hardly saw why not; he thought there was every probability that the messenger would arrive this night or to-morrow morning. How then could the House be said to be in a state in which an important communication might not be made to it to-morrow? "No," said the Minister—and why? "Because, forsooth, my Lord Whitworth is not arrived in this country." Now the House would recollect, the Rt. Hon. Gent. told them last Friday, that all the papers by which information was to be conveyed, were actually in the press. He should be glad to know, as Ministers were in possession of that decisive result which the Rt. Hon. Gent. talked of, why should not the anxiety of the House and of the public be relieved? he could not comprehend that the arrival of my Lord Whitworth could be essential for that purpose. But the communication may be such as that his Majesty's Ministers might not wish to lay too soon before the House: to which he would answer, any information was better than suspense; and all the arguments of the Chancellor of the Exchequer, if indeed that could be called argument which consisted only of assertion, stood on the supposition of an unforeseen result, which he hoped was not hostile, but which would perhaps lead to hostility; but if that decisive result should be, what he hoped it would be, for our honour and satisfaction, he should not think the time of the House misspent in waiting for such result. But Saturday was an unusual day for the House to sit. He would not go over that argument much at length, but he would observe, that it was by no means uncommon for the House to sit on a Saturday, for the purpose of transacting very common and ordinary, and sometimes even private business. Upon these grounds he must say, that

he was not satisfied by what he had heard from the Minister, concerning the propriety of the House adjourning until Monday. The Rt. Hon. Gent. said there was no probability of any information arriving to enable his Majesty to make a communication to the House to-morrow, and that such communication could not be made until my Lord Whitworth arrived in this country: if this was the rule by which we were to judge, he saw no reason to conclude that we may not be in the same situation next Friday as we are at this moment.

The CHANCELLOR of the EXCHEQUER then referred to the Chair, on the subject of the regularity of the motion now before the House.

The SPEAKER said, that before the debate proceeded any further, he rose to say, that in the form of the question proposed by the Noble Lord to be put to the House, he was not prepared to state to the House, from his own memory or reading, any one instance, except that of last Friday, of such a motion being offered to the House in such terms, and it did not appear to him to be consistent with the orders and forms of the proceedings of the House.

The CHANCELLOR of the EXCHEQUER said that the Hon. Member who had just sat down had stated, and stated truly, that on Monday last he informed the House, that probably the discussion at Paris would be brought to a decisive result in the course of a few days, that of the following day, or Wednesday morning: it was perfectly true he had said so, and he was justified in expressing that conviction, but circumstances had occurred which did produce some delay, but which delay would be inconsiderable; what these circumstances were, he was sure the House would not ask him to disclose, but it was on those circumstances of that delay, that he should desire the Noble Lord to withdraw his motion, and then move that of which he had this night given notice.

The Noble Lord's motion was then withdrawn.

The CHANCELLOR of the EXCHEQUER moved, "That the House should at its rising "adjourn to Monday next."

Mr. HENRY LASCELLES said he wished to say a few words, merely to defend his own consistency with reference to the vote which he gave on Friday last, and to the conduct he should adopt this night. When the question of adjournment was proposed on Friday last, he gave his vote upon the best judgment he could exercise upon the merits of the question, and he was still of opinion, that in giving the vote he did upon that occasion, he had acted consistently with his duty. With respect to the question now before the House, he was still of opinion that it would be better that the House should sit to-morrow, but, for the reasons he should give, he was determined to give no vote upon the subject. After the vote he gave on Friday last, he found himself in a situation he did not expect; he had stated in the few observations which he had submitted to the House upon that occasion, that it was by no means his intention to prejudge the general question, but when he came to vote, he found himself voting with Gentlemen who were generally considered as the systematic opposers of Government *(Here there was a cry of "Order")*—he meant that they were always in the habit of opposing Ministers, and therefore he was sorry he had given that vote, as it might appear as if he had, to a certain degree, prejudged the question.

Mr. FOX said he rose to say a few words in consequence of some observations which had fallen from the Hon. Gent. and which appeared to him to be a little singular. The Hon. Gent. lamented that he had been induced to vote on Friday last, with those whom he characterized as the systematic opposers of Ministers; but as the Hon. Gent. had stated, that he had voted upon the merits of the question, he did not think that the vote he had given called for such strong marks of penitence. If the Hon. Gent. felt such concern for once voting with the systematic opposers of Ministers, he might frequently be placed in an unfortunate situation, because whenever these systematic opposers happened to agree in opinion with him, he would be under the necessity of not voting for a question which he approved, or he must vote in company he did not like. But however unpleasant the Hon. Gent.'s situation would be in that point of view, it would be still more so if he should happen to take a similar dislike to the systematic supporters of Ministers, for then it would be extremely difficult for him to decide how he should vote. The Hon. Gent. had shewn much more penitence upon the occasion than in his opinion it required, because he had declared, that he had voted according to the best of his judgment upon the merits of the question. How such a vote could be a subject of lamentation, he could not immediately discover, because he always understood that to be the way in which Members of Parliament ought to vote upon every question. But the Hon. Gent. seemed also to labour under some apprehension that he might be supposed to have prejudged the question; how the Hon. Gent. came to entertain such an apprehension, he could not imagine, because there was not one word said upon the question of peace or war, in the discussion to which the Hon. Gent. alluded. If, however, the Hon. Gent. had prejudged the question by his vote that day, it would gratify his curiosity very highly, if the Hon. Gent. would tell him on which side he had prejudged

it, for without some farther information he was really unable to form a guess upon the subject. Did the Hon. Gent. apprehend, that by voting with the systematic opposers of Ministers, who were generally considered as strong advocates for peace, he might be supposed to have prejudged the question in favour of peace? If that was the cause of the Hon. Gent.'s alarm, he had only to look at some of the company with whom he voted that day, and his apprehensions would vanish. There were some Gentlemen who sat towards the lower end of the House, to whom, he believed, the epithet of "bloodhounds" had, in some publication, been applied, who had voted with him on that occasion, and if they were at all culpable, it was not from any extraordinary anxiety which they had evinced for the maintenance of peace. He would not, however, investigate this subject any longer; he could only say, that he was utterly unable to conceive what was the ground of the Hon. Gent.'s repentance, or on which side he had prejudged the question: with regard to himself, he should prove his consistency by voting in the same way that he had done upon a former occasion.—The Rt. Hon. the Chancellor of the Exchequer had laid down a principle to which he could by no means accede, viz. that no communication could be made to the House till Lord Whitworth had arrived. If that was a regular principle always to be acted upon, he could not account for what had fallen from the Rt. Hon. Gent. on Monday last. He then said that the discussions would be brought to an issue on Tuesday or Wednesday, and that he would be enabled to make a communication in a few days, meaning evidently in the course of the present week; though supposing Lord Whitworth had left Paris on Wednesday morning, it was not probable that he would reach London in the course of this week. It was therefore pretty evident that the Rt. Hon. Gent. was not quite so much attached to this point of form on Monday last as he now appeared to be. The Rt. Hon. Gent. had said, that circumstances had arisen which led him to expect that the answer would not come so soon as he had expected, and which circumstances were in some degree the ground of his present motion. He could not guess what those circumstances were, nor did he wish the Rt. Hon. Gent. to explain them if it was improper; but certainly if the points in discussion were to be decided on Friday, the intelligence might reach this country to-night or to-morrow morning; and certainly if there was any thing to communicate, the House ought to be at its post to receive it. He did not mean to enter into the question of decorum, but it certainly was no unimportant matter that the House and the country should know its fate with regard to the question of peace or war as soon as possible. It had been said that no communication could be made respecting the rupture of the negotiation until Lord Whitworth arrived at Dover; but he begged the House to recollect, that there was another alternative: suppose the messenger should fortunately bring the intelligence that all the differences were settled, would it not be material that the House should receive a communication to-morrow, rather than on Monday? and certainly it could not be doubted that that House was the proper channel of communication between the King and his subjects. He did not mean to throw any blame upon the Rt. Hon. Gent. but he could not help observing that he had been mistaken in his expectation three or four times; but as it arose from circumstances which he could not foresee, it certainly was not a ground upon which any blame could be attributed to him. With regard to the delay which had taken place in Lord Whitworth's departure, he was of opinion that that Noble Lord had acted in a most judicious manner, in deviating from the instructions which it was generally supposed he had received, and he could not help hoping that it might tend to a more favourable issue of the discussion. Upon these grounds, he was of opinion that the House ought to meet to-morrow, though he should not take the sense of the House upon it.

Lord HAWKESBURY said he should adopt the same line of conduct, and upon the same grounds, that he had upon Friday last, viz. that it was not usual to sit on Saturday, unless there was public business of great importance, or even private business, where the object was to have some proceeding, or to take some step; but when it was proposed to sit without the possibility of any proceeding on the part of the House, he thought it more consistent with the dignity of the House that they should follow the usual course, and adjourn till Monday. His Rt. Hon. Friend had not stated that there was no probability of any communication to-morrow; he had only said, that there was no probability of a communication from his Majesty: and he did not think it consistent with the dignity of the House, that they should depart from their usual mode of proceeding, merely in the expectation of receiving an oral communication, upon which no proceeding could be had. It was perfectly true, that since the declaration of his Rt. Hon. Friend on Monday last, a probability of delay had occurred, but he hoped it would not be a delay of many hours; it was owing to circumstances which it was not necessary now to explain. The Hon. Gent. had stated, that there were two alternatives, and that the issue might be in favour of peace, which might be immediately communicated to the House. But even in that case, he was not aware how any official communication could be made to the House, because he believed, though he did not speak with perfect certainty, that it was not usual for his Majesty to communicate the result of any treaty that was concluded until it was

actually ready to be laid before the House. In the event, therefore, of a satisfactory arrangement, he did not see that it could lead to an official communication to-morrow. Under these circumstances, he saw no possible benefit that could result from sitting to-morrow, thinking, as he did, that the mere chance of an oral communication was not a sufficient ground to justify the House in departing from its usual mode of proceeding.

Mr. MARTIN (of Tewkesbury) said, he was disposed to think favourably of the present Ministers till he heard something to induce him to change his opinion. He only wished to ask them what evil could result from their sitting to-morrow, and to beg them to consider whether something might not occur that might draw upon them the displeasure of the country and the House.

Dr. LAWRENCE said a few words, after which the motion was agreed to.

HOUSE OF COMMONS.

Tuesday, May 17.—(See Minutes, p. 814.)

[CONSOLIDATING CUSTOMS.]—General GASCOYNE rose to make a few observations. He did not mean in any case to object to the principle of the bill. It was to the tonnage duty being made a permanent tax in time of peace that his objections principally applied. Under the existing circumstances of the country, and after the communication which was yesterday made to the House, it was not his intention to oppose the continuance of the tax. He could not help thinking, however, that into any bill to be formed on the basis of the schedule now before the House, it would be highly expedient that the duty on tonnage should not be introduced. It would, in his opinion, be much better that this should be made the subject of a separate bill, and he should hereafter take an opportunity of following up this suggestion by a specific proposition. There were several parts of the schedule on which he meant to deliver his sentiments; and though he should not oppose the present motion, he begged it to be understood that he reserved to himself the right of combating their expediency on any future occasion.

The CHANCELLOR of the EXCHEQUER appealed to the House, whether he had ever discovered any thing like a disposition to prevent Members from having a full opportunity to consider the different articles which the schedule contained. It would also, he was sure, be admitted that he had never pressed the discussion while the circumstances existed which rendered a fair discussion impossible. He felt, however, the necessity and the propriety of carrying through the measure with all possible expedition. This was necessary, not only from a regard to the recommendation contained in his Majesty's speech, but that a foundation might be laid for another measure of very great importance, of which he had given notice in the previous part of the session: he meant to allude to the extension of the system of bonding and warehousing, the beneficial effects of which had already been experienced, and which could not be reduced to practice till the previous measure was adopted. As to the observations which the Hon. Member had made respecting the tonnage duty, it was unnecessary for him to enter into any detail. The Hon. Gent. having, under the present situation of the country, agreed to withdraw his opposition, it was not particularly incumbent on him to attempt a formal justification of the policy or the expediency of the duty even during the continuance of peace. The Hon. Member had thrown out a suggestion about the propriety of dividing the resolution respecting the continuance of this duty from the other parts of the bill, founded on the schedule. This was not the stage of the business in which this suggestion could best be considered; whatever observations he had to offer on the subject would apply with much more effect on the second reading of the bill, if the House should suffer the bill to be introduced, or rather in the committee, when the different articles to which the bill referred would come to be particularly considered. Gentlemen, by consenting to go into the committee, did not pledge themselves to the approbation of any specific parts of the schedule. All that they did was to admit the propriety of the principle of consolidation, reserving to themselves the full right of examining minutely the different parts of a bill by which this consolidation was to be effected, and proposing any amendment which to them appeared the best calculated to promote the general object with the least possible inconvenience.

General GASCOYNE rose again, with the view of obtaining some information how far there was any plan of applying a similar measure of consolidation to the duties of excise, and other branches of the public revenue.

The CHANCELLOR of the EXCHEQUER, in reply, stated his resolution to apply the same measures to the branches of the revenue to which the Hon. Member alluded. He meant that the measure should be introduced before the close of the session, but he would not pledge himself to any particular period.

After a few words of conversation between Mr. Dent and the Chancellor of the Exchequer, which we could not overhear distinctly, the House resolved itself into the committee.

The CHANCELLOR of the EXCHEQUER addressed the committee in a short speech, in which he touched on several of the most im-

portant alterations which the schedule proposed. Very considerable alterations were proposed to be introduced into the schedule as it now stood. As he had formerly stated to the House, there was intended to be in many articles a large addition of duty, and in others, a very considerable reduction. It was meant that the duties on wines in the port of London and the out-ports should be equalized, and that the duty should in every instance be similar. It was somewhat difficult to see what were the principles which had in the first instance given rise to the distinction of duties: whatever the principles of this distinction were, however, they did not exist at the present moment. It was usual that in the port of London the duty on each pipe of wine should be 1*l.* 10*s.* higher than in the out-ports. Whatever were the circumstances which suggested the propriety of this arrangement, the situation of the country was now such as to render its continuance unnecessary. The consumption of wine was now by much more general than at any former period, and the means of conveying it from the out-ports to the interior of the country were much increased. The propriety of equalizing the duties had therefore given rise to the intended equalization. The book of rates, in stating the amount of the duties payable on skins and furs, was not founded on any regard to the real value of the articles. A change was to be introduced, which would remedy this inconvenience, and make real value the standard of taxation. In the year 1795, certain duties were imposed on the importation of wood; these were to be continued, with the exception of certain exemptions, in favour of timber for ship-building. The duties on the importation of chemical oils were intended to be increased. This increase was founded on a wish to give encouragement to the use which might be made of the produce of the Spice Islands. Since our acquisition of Ceylon, the quantity of spices which might be applied to the purpose of obtaining essential oils was so great, as powerfully to suggest the propriety of granting this encouragement. On the importation of diamonds and precious stones, there was to be imposed a duty of five per cent. *ad valorem*. On many unenumerated articles of East India produce there was to be a reduction from 71 per cent. to 20 per cent.; and on articles imported from China the reduction was proposed to be from 109 to 50 per cent. The duties on East India calicoes were to be reduced from 125 to 50 per cent. *ad valorem*. The Rt. Hon. Gent. explained the proposed arrangements with a degree of minuteness into which we conceive it unnecessary to follow him, and therefore we only profess to give the general results. He alluded to an addition of two shillings to the existing duty of twenty shillings on East India sugar. When the increase of freight and other favourable circumstances were considered, he did not think that this was an increase to be the ground of any fair objection. On all indigo imported, whether from the plantations or from the East Indies, there was to be a diminution of the duty. To every department of the dyeing trade, this would operate as a very important accommodation. On cotton wool imported, the proposed duty was to be one penny per pound. It had formerly been subject to a duty of three halfpence per pound; and though he was sensible that there were objections to the duty being laid on the raw material instead of the manufactured article, yet, after a full consideration of the subject, he was of opinion that the manner in which the duty was to be imposed, was one which operated with the lightest pressure. At all events, whatever objections existed could be urged with much greater propriety when the bill was regularly before the House. On the subject of the importation of Bandana handkerchiefs and silk lace, there was a strong necessity for putting a check to that system of smuggling which was the ground of very general complaint. On bale silk it was proposed that there should be a duty of 20 per cent.; and on the article of Bandana handkerchiefs, of 25 per cent. besides 2 per cent. on warehousing, which was conceived to be adequate to the protection of the fair trader, as far as that could be affected by positive duties. The duties on the importation of hemp from America and the East Indies were to be diminished. The difference with respect to the amount of the revenue would not be a consideration. It was thought proper, however, that encouragement should be held out to the importation of this article, an article at all times of great importance, but particularly so under the circumstances in which this country was likely to be placed. On Italian wines it was proposed that the duty should be the same as the duty now payable on port wine. On linen yarn imported the duty was to be sixpence instead of one shilling per cwt.; but this was to be counteracted by a new additional duty on narrow linen cloths. As to the duty on tonnage, after the declaration made by the Hon. Gent. he thought it unnecessary to take up the time of the committee by going into any minute statement of the reasons which would have induced him to propose its continuance, even as a permanent tax, during peace. He could not help stating, however, for his own satisfaction, and the satisfaction of the House, that the view which he had on a former occasion given of the flourishing state of the trade of the country was strictly consistent with truth. The trade of the country had indeed, for the last fourteen or fifteen years, been experiencing, whether in peace or in war, a gradual and constant increase. He was happy to be able to assert with confidence, that, during the last year, the same increase had been observable. In proof of this, he had only to call the attention of the committee to the number of British and foreign ships which had during

the last year cleared outwards and inwards, and at the same time advert to the amount of their tonnage. The increase in the number of British ships which had cleared outwards, was above the preceding year 3275, and the increase of tonnage was 414,755. On the other hand, the decrease of foreign shipping was 1704, and the decrease of tonnage 299,914; on the other hand, the increase of British, shipping which had cleared inwards was 2730, and the increase of tonnage 269,245: the decrease in the foreign shipping, clearing inwards, was 3274, and the decrease of tonnage upwards of 344,000. He did not wish to go into any further detail on this part of the subject, but thought it proper to put the committee in possession of these facts, in support of his former statement. The Rt. Hon. Gent. after a few more observations, concluded with a motion, the object of which was to obtain leave to bring in a bill to accomplish the objects stated in his speech.

HOUSE OF COMMONS.

Thursday, May 19.—(See Minutes, p. 814.)

[NEGOTIATION.]—Mr. GREY said, that in consequence of the refusal of the Rt. Hon. Gent. (the Chancellor of the Exchequer) to grant the information for which he had applied yesterday, he now thought it his duty to bring forward a specific motion on the subject; and he was not sorry for the delay, as from the short attention he was able to bestow on the papers relative to the late negotiation, which were yesterday laid before the House, he had discovered that there were many points in which the information they contained was defective. It was, therefore, his intention, in order to remove those defects, and to furnish the House with that ample knowledge which was necessary towards the complete comprehension of the important question that was to be discussed on Monday, to combine with the motion of which he had given notice yesterday, a number of other motions, in stating and commenting on which, it was by no means his wish to say any thing that might go to prejudge the subject of Monday's debate. He observed, that it was a very striking fact, that though in his Majesty's Declaration it was alleged that violence had been committed by the French upon the shipping and property of British subjects, yet it did not appear in the course of the papers yesterday presented, that any redress or satisfaction had been obtained on this point from the French government, nor indeed were the particular cases of violence at all described. This was one of the points on which he meant to make a motion, for if such violence had actually taken place, it was alone a just ground of war: it was so held by that House in the case of Nootka Sound. The first motion, therefore, he should make would be, that there should be laid before the House, an account of any acts of violence which had been committed by the French on any British vessels, or other property, from May 1802, to the 1st of March last; with copies of any representations that might have been made on the subject to the French government, together with the answers thereto. The other motions he proposed to submit to the House referred to the conduct of the several persons dispatched by France to the different ports of this country and Ireland, under the name of commercial commissioners, and the proceedings of our Government thereon; the continuance of the French troops in Holland; the answers, if any obtained, to the remonstrances contained in the account of the negotiations relative to Switzerland; the different orders given with regard to the Cape of Good Hope since the treaty of Amiens; the remarks made by our Ministers upon some expressions in the declaration of the state of France, some time since published by the French government, with the replies thereto. He also wished that the House should be informed whether it was the fact, as generally understood, that Louisiana had been very lately ceded to America. This was material, as it made the relative situation of this country with France much more favourable to us, and was not less in a political than a commercial view of advantage to this country. There were other articles of information which he felt to be highly necessary previous to the discussion of Monday, and he was happy to hear that an Hon. Member had given notice of motions for to-morrow respecting them. The Hon. Member now came to the motion of which he had given notice yesterday, with respect to the substance of the intelligence communicated to Government as to the armaments in the ports of France and Holland, which were alluded to in his Majesty's message to Parliament in the month of March last. The truth of this statement it was desirable to ascertain, and he worded the motion so that it could not be liable to the common objection of an unwillingness to disclose private sources of information, as no names were called for. Upon this point there was not one tittle of information in the papers yesterday presented, except the absolute denial of that assertion by the French government, and the statement that they had at that time but two frigates on the coast of Holland, and three corvettes in the port of Dunkirk: such was the description of their considerable naval armament, which was made the ground of an alarming message to Parliament. Here the Hon. Member took occasion to allude to the observations made of late as to the situation of our navy; and as the friend of the First Lord of the Admiralty, whom he much admired, he desired an investigation of the subject: he was sure that Noble Lord was ready to meet it, and he was fully certain that he would disclaim the petty subterfuge taken by the Rt. Hon. Gent.

on the Treasury Bench, as to the number of ships which were to be prepared at a short time after the commencement of war. If that Noble Lord promised fifty sail of the line, he surely could not be supposed to mean fifty hulks? However, he had no difficulty in saying, notwithstanding his regard for the general character of the Noble President of the Admiralty, that if we had not at present in the East and West Indies, and in the Mediterranean, fleets more than sufficient to encounter any force which can be brought against us, that Noble Lord would deserve the severest punishment the country could inflict. If so, and that our fleets were equally strong at home, and he had little doubt of the fact, we had nothing to apprehend from a military force which had not a fleet to convey it to any quarter where it might annoy us. After a short review of the several motions which he meant to submit to the House, remarking on the private instructions said to have been sent to Citizen Foubert, the French commercial commissioner in Dublin, directing him to take the soundings of that harbour, and upon other parts; the account of the negotiation, where no satisfactory explanation seemed to have been given by the French government, and where several instances of aggression occurred, any one of which, quite insulated, and unconnected with other proofs of a hostile mind, would have formed a legitimate ground for war, the Hon. Member reverted to the subject of the alleged armaments in the French and Dutch ports in March last. He quoted the precedents of motions similar to that he now proposed, which had occurred during the war of 1756, and also one in the year 1782, from the words of which he copied his motion.

The first motion being put,

Lord Hawkesbury wished the House to be particularly impressed with the idea that the conduct of Ministers in the course of the negotiation was not actuated so much by a view of the facts alluded to by the Hon. Gent. who had just sat down, or indeed by any single insulated act. They rested their justification on the production of a body of evidence, tending irresistibly to prove the existence of a hostile mind on the part of France. This he was desirous to mention, without meaning to prejudge the question for discussion on Monday. The Noble Lord then went over and replied to the several points touched on by the Hon. Gent. who spoke last. As to that which formed the subject of the motion now before the House, he explained how it was alluded to in his Majesty's Declaration, and contended that it was quite misunderstood by the Hon. Gent.; for he appeared not to have made a just distinction between the not giving a proper satisfaction, and the absolute refusal to do so. Had the latter been the case in any instance, particularly with respect to the security of our shipping; had such a refusal been made, either in the conversations of the First Consul with our Ambassador, or in any official communication, most undoubtedly Ministers would have been bound to consider it as a ground for war; but no such thing had ever happened until the final conclusion of the negotiation. To the Hon. Gent.'s first motion he should not object; but as to that which related to the commercial agents of France in this country, he observed, that the Hon. Gent. had taken an exaggerated view of that subject. It was perfectly true that many such persons were sent into this country, but as they appeared in a capacity in which they could not be recognised, no commercial treaty being in existence between this country and France, he had no difficulty in saying that very few of them were suffered to go to the places of their destination; and upon suspicions arising as to the objects of their mission, representations were made to the French government, and several of them were recalled. As to the declaration of the First Consul upon the state of France, which formed the third of the Hon. Member's motions, he would say, that though that paper presented a strong manifestation of a hostile mind in the French government, yet it was thought more consonant with the usual course of diplomatic transactions, to notice it only by directing our Ambassador to refer to it upon any allusion being made in his intercourse with that government to the publication in England. Switzerland was the fourth point touched on by the Hon. Gent. In answer to the *note verbale* which his Majesty's Ministers had thought proper to present to the French government on that subject, they certainly did not receive a communication of the same kind with that given to Bavaria and other powers; but they were shewn by M. Otto an ostensible dispatch, in which was a solemn assurance that the First Consul did not mean to invade the independence of Switzerland. How far that assurance had been observed, it was open to the House and to Europe to judge; but as to the dispatch itself, it was a copy of that which appeared about the same time in the Moniteur and other newspapers, under the title of a proclamation. To the Hon. Gent.'s motion respecting the Cape of Good Hope he had no objection, nor to that either which regarded the cession of Louisiana to America; for there was a document forthcoming on that transaction which had lately been presented to his Majesty's Ministers by the American ambassador, and which confirmed that important fact—a fact which, though it took place subsequent to the close of the negotiation, was yet considerably promoted by our conduct during its progress. As to the motion respecting the French troops in Holland, he had to inform the Hon. Gent. that no such representations had ever been made to the French government as the Hon. Gent. seemed to imagine. To the last

motion of the Hon. Gent. relative to the intelligence received of the armaments referred to in his Majesty's message in March last, he felt it his duty strongly to object, because he did not see any good that could result from the motion, nor any necessity that called for it, though he was aware of the evils which would result from such a disclosure of secret information; and those evils were very manifest, even from one of the precedents cited by the Hon. Gent.; for the inconveniencies which arose from cases alluded to in 1754, were not to be forgotten. The acquiescence of Parliament in that motion served to break up a channel of private communication which was of the utmost importance to this country, and which had subsisted for years. Against such consequences the House should be particularly guarded, and before such a danger were even risked, a very strong case indeed should be made out. He did not think the grounds stated by the Hon. Gent. to be at all of that description, and therefore his motion could not be acceded to. It was not upon the armaments in the ports of France and Holland that his Majesty's Ministers meant to rely for the vindication of the message referred to by the Hon. Gent. but upon the whole tenour of the conduct which distinguished the French government, and which was sufficiently exposed in the papers presented yesterday. It was upon a series of circumstances tending to demonstrate a hostile purpose, which convinced Ministers of the necessity for active preparation; for he begged to call to the minds of the House that his Majesty's Ministers were not the first to arm; the First Consul preceded them, and he prepared his troops with a view to those hostile objects which are alluded to in his conversation with our Ambassador, and also in his declaration addressed to the Legislative Body, *which took place before the delivery of his Majesty's message*. He would ask whether, under such circumstances, Ministers would not have been highly culpable if they had neglected to put the country in a proper state of defence by calling out the militia, &c.; and he would also ask, whether such steps of precaution could have been consistently taken; whether the militia could have been called out, without a communication from his Majesty to Parliament? Such were the motives which dictated the communication of the 8th of March last; and to a combined view of all the existing circumstances, he trusted with confidence for the proof of its necessity, and for the justification of Ministers.

Mr. WHITBREAD was sensible that the House must feel themselves much indebted to his Hon. Friend for the motions he had this day brought forward, as they must afford the House an opportunity of obtaining more ample and satisfactory information respecting the great question which was so soon to come under their consideration. The Hon. Gent. then followed up the arguments urged by his Hon. Friend (Mr. Grey); he insisted that if offensive expressions had been made use of by the First Consul in his communication to the Legislative Body, Ministers had failed in their duty at the time in not calling for an explanation of those expressions. Ministers had also laid much stress on the mission of the commercial agents into the more considerable seaport towns of the empire, and on the views and projects which they were commissioned to prosecute. But the Noble Lord confessed that this cause of complaint had been done away; for, on a representation of it to General Andreossi, those agents who had already arrived were sent away, and the arrival of those who were preparing to come over was suspended: this, in his mind, was a satisfactory explanation upon that point. As to the case of Switzerland, the *note verbale* upon that point was communicated both to the Ministers of our government and to those of the other governments of Europe. But there was another point upon which the House must undoubtedly be anxious to obtain some information. The point he alluded to was, what communications, if any, had taken place since the departure of Lord Whitworth from Paris, between Mr. Talbot and the French government. In the present state of the country, surely no information could be more material or more requisite for the House to be in possession of before they came to any decision on the great question. Now as to the more immediate object of his Hon. Friend's motion, viz. the obtaining information respecting the armaments, their extent, destination, &c. &c. said to be carrying on in the ports of France and Holland, he was at a loss to discover what danger could be apprehended from granting such information as was called for, especially in the shape in which it was moved for by his Hon. Friend. His Hon. Friend called only for the substance of that information; but it was objected to on the ground of its being dangerous to cut off the sources of such intelligence. But the House would, no doubt, recollect the difference in such cases between a time of war and a time of peace. In time of war it might be difficult to obtain information, and dangerous even to communicate the substance of it; but in time of peace, as was stated by the Rt. Hon. Gent. (the Chancellor of the Exchequer), in time of profound peace, when access was open to every Englishman to visit what parts of France he thought proper, to inspect the ports of Boulogne, Dunkirk, Cherbourgh, &c. &c. how could any objection be made to granting the substance of any information that might be communicated at such a period? and indeed if any danger was to arise to the persons who made the communication from the substance of the information being laid before the House, would they not be exposed to that danger from the very fact of that information being alluded to in his Majesty's message? Be-

sides, Ministers, by the message they brought down from his Majesty, intimated a near and great alarm; and by sounding this alarm they shut the mouth of the House, and called on Parliament to leave their conduct, under such circumstances, free and unembarrassed. They represented the preparations in the ports of France and Holland as not intended for colonial purposes; and that during a negotiation it was proper to take every precaution against their being intended for any hostile project. They might have in view an invasion of this country. But in the whole course of the negotiation, and on the face of the papers laid before the House, there was not a single word to prove a meditation of such designs. It was a mere assertion on the part of Ministers, and that assertion was flatly denied by the French government. But Ministers say they are responsible; if so, let them not shrink from granting the information called for, and let the House go into an examination of their conduct on Monday, with all the evidence before them which can possibly be adduced to explain and clear up their conduct.

Lord CASTLEREAGH contended that the very aspect of the armaments carrying on in the ports of France and Holland rendered it a duty in Ministers to bring down a message of the nature of that which had been delivered to the House in the month of March. At first it was notorious that a great expedition was preparing in the ports of Holland for Louisiana. The message did not assert that this expedition was intended to act hostilely against this country; it merely stated the fact, that such an armament existed pending a negotiation; and that combined with the subsisting negotiation, it was the duty of Ministers to make a communication of it to the House. Nor was it only the armament of Helvoetsluys that Government had to attend to; if due attention was paid to what was observed by the First Consul himself, it was evident that apprehensions might also be rationally entertained of the armaments fitted out at Toulon and other of the southern ports of France, said to be intended for St. Domingo, but which afforded the facility of invading Egypt, if such had been the First Consul's wish and design. Were not these, then, just subjects of alarm? To these armaments might be added another fitted out at Brest for the East Indies, all of which, when combined together, afforded ample room for precaution and for well-grounded apprehension; and unless a message was brought down to Parliament expressive of these apprehensions, how could the militia have been called out either in this country or in Ireland, in which latter part of the United Empire such serious alarms were to be apprehended? It was therefore, no doubt, the duty of Ministers to provide for every exigency. But on all these points his Noble Friend has enlarged with so much perspicuity, that it was superfluous for him to travel over the same ground. As to the question put by the Hon. Gent. whether Mr. Talbot had not had further communication with the French government after Lord Whitworth had quitted Paris, he had only to say, that no further attempt had been made to carry on the negotiation after the departure of his Lordship, and that Mr. Talbot was only employed to wait on M. Talleyrand, while Lord Whitworth was still at Paris; nothing had been done subsequent to his leaving that city. When the whole of this important matter came to be more fully and minutely discussed, whatever might be the opinion of the House on its ultimate result, he was confident that on one point they would be unanimous, viz. that Ministers never betrayed any wish to conceal their conduct, but, on the contrary, were anxious to submit it to the severest parliamentary ordeal.

Mr. WINDHAM supported the motion of the Hon. Gent. who introduced the discussion, with his usual force and energy. He conceived, that one important point of information had been already gained by the discussion, and that was, the declaration of Ministers that no information had been communicated. A good deal of argument had been employed respecting those persons whom, under the character of commercial commissioners, the French government had chosen to send into this country. It was not enough that remonstrances had been employed by Ministers, and that in consequence of these remonstrances they were forced to withdraw. The House had a right to know on what grounds they were in the first instance received into the country; for after they were admitted, it was no sufficient cure for the evils which their appearance might have created, that they should be dismissed from the kingdom. It was a matter of very serious consideration, that in time of peace a set of men had appeared in this country possessed of no definite character, but under the pretence of acting as commercial agents in the absence of any treaty of commerce, acting as spies, and employing themselves in collecting information hereafter to be employed in facilitating any plans of national annoyance. The House were entitled to know whether this had ever been a ground of remonstrance on the part of Ministers, and in what manner these remonstrances had been received by the French government. But passing from this point, the Hon. Member adverted particularly to the subject of the armaments, as described in his Majesty's message delivered in March. When peace or war was to be founded on these armaments, it was no matter of light consideration. It had been said by a Noble Lord (Lord Castlereagh), that armaments were nothing, independent of circumstances. With this opinion he perfectly coincided. But it was not to be forgotten, that in circumstances there was nothing of peculiar alarm, independent

of armaments. The great question to be considered was, whether the armaments were such as might in all cases be expected to exist, extended as the military force of France now was; or whether they were armaments which might be pointed to any specific object, or made the ground of any peculiar alarm? The Hon. Gent. with great acuteness illustrated his argument on this point: he saw no reasonable objection against the motion for ascertaining on what grounds Ministers had stated the existence of the military preparations in the ports of Holland and France. The manner in which the motion was made for the production of this information, met his entire approbation. As nothing more than the substance of the information in the possession of Ministers was required, he saw no solid reason for refusing to accede to the motion. It was absurd to urge any reasons drawn from a wish of concealing the sources of this information. In a time of peace, when there was a constant succession of travellers from all the different parts of France and Holland, an affectation of mysterious means of information was ridiculous. Whatever was necessary to be known might be disclosed to the House without any danger. Ministers had, for a very long period, enveloped the whole of their proceedings in impenetrable mystery. They at length condescended to lay some documents before the House; but no sooner did any Member advert to a blank in these documents, than they took shelter under the same system of mysterious responsibility. After the House and the country had been so long famished for want of knowledge of the proceedings of Ministers, complaint was very natural when it was attempted to satisfy them by supplies of information furnished in so scanty and unsatisfactory a manner. After urging some strong considerations in reply to the last speaker, Mr. Windham sat down, with giving his hearty support to the motion.

The CHANCELLOR of the EXCHEQUER disclaimed, on the part of Ministers, every wish to conceal any part of their proceedings. It was from a wish to have their whole conduct fully and fairly considered, that they had not limited the papers to the particular points included in the late negotiation, but had referred to all the intercourse betwixt the two governments since the definitive treaty. The Rt. Hon. Gent. in the course of his observations, went over the grounds insisted on by two Noble Lords who preceded him in the debate. He illustrated and confirmed their statements: he endeavoured to shew that the expressions of his Majesty's message relative to the armaments in the ports of France and Holland, were strictly justified by circumstances; and that if Ministers had acted in any other way than that which they had pursued, they could not have acted consistently with the honour of their country. In corroboration of his statements, he on several occasions referred to the correspondence betwixt the two governments. The information required on this subject could answer no useful end. If it was too general, it could not be applicable to the purpose which was intended. If, on the other hand, it was too particular, it might disclose sources of information which it was important to conceal. He descanted on all the topics touched on by former speakers at some length, and concluded by declaring, that whatever reasonable degree of information was required, should not willingly be withheld.

HOUSE OF LORDS.

Friday, May 20.—(See Minutes, p. 815.)

[NEGOTIATION.]—Lord BORINGDON began by stating, that from the very candid manner in which his Noble Friend, the Secretary of State, had declared his wish to furnish the House with any information that could be deemed necessary to the full comprehension of the subject which stood for discussion on Monday next, he had no doubt that the motions he was about to submit to the House would be acceded to, if Ministers thought it consistent with their duty to grant the information which these motions sought for; and if they did not think so, he confessed that he would feel very unwilling to press them. He stated, that the motions he meant to propose would comprehend the attacks alleged to have been made on British shipping, from the signature of the treaty of Amiens up to the 8th of March last, with the proceedings of Ministers thereon, and the consequences; also an account of the correspondence which took place upon the arrest and interrogation of Capt. D'Auvergne; and as he understood that a *projet* had been presented by Lord Whitworth to the French Minister, immediately previous to his departure from Paris, demanding the possession of Malta in perpetuity, and directing the *contre-projet*, if any should be delivered, to be given to his secretary, who would remain behind him to receive it, he wished to know whether any such *contre-projet* had been received by Ministers; and if it had been received, he thought it would be highly proper that it should be laid before the House, as certainly the last step in any negotiation was the most essentially necessary, in order to enable men to form a correct judgment, with respect either to the policy or necessity of breaking off that negotiation.

Lord PELHAM expressed his readiness to concur in the first motion; but with respect to the arrest of Capt. D'Auvergne, he confessed he was unable to form any decided opinion, until he should have examined the papers concerning it: he however assured the

Noble Lord that he should come down on Monday fully prepared to give the House a satisfactory answer upon that subject. With regard to the third point alluded to by the Noble Lord, he had to state that no such *contre-projet* as that described had ever been received. It was, however, a fact, that communications had been had from France since the departure of Lord Whitworth from Paris; but they were of a secret unofficial kind, and he cautioned the House against entertaining any hope that they were of such a nature as could at all lead to form the basis of a negotiation. They were not indeed by any means entertained; and as they could not tend to any proceeding, they were not, of course, such documents as it would be proper to lay before their Lordships.

Earl STANHOPE said, he was happy that the Noble Secretary of State had agreed to the proposition relative to the outrages said to have been committed on our shipping; but he objected to the Noble Secretary's purpose to postpone the information applied for as to Capt. D'Auvergne, to Monday next; for surely it would then be too late to communicate information so immediately connected with a subject which was fixed for discussion on that day. He conceived that the Noble Secretary should either adhere to what he could now state on that point, or he should propose the adjournment of the discussion, which stood for Monday, to some future day, in order to give farther time for consideration.

Lord BORINGDON said, that he felt so forcibly the propriety of the reasons stated by his Noble Friend, with regard to the two other motions he had intended to submit to the House, that he certainly should not persist in proposing them.

Earl FITZWILLIAM, after some observations on the defects which appeared to him in the information afforded by the papers presented to the House on Wednesday last, stated several motions which he wished to propose for obtaining farther information. Those motions he described: they were precisely the same as those moved for the preceding day in the other House of Parliament, with the addition of two motions relative to the interference of France in the Ionian republic, and the conduct of Ministers by written representation, or otherwise, in consequence thereof; and also the representations, if any, which Ministers may have made against the spirit of aggrandizement which France had manifested on the continent, together with the replies thereto.

The Noble Earl's first motion as to the conduct of his Majesty's Ministers respecting the persons sent into this country by France, under the denomination of commercial agents, being put,

Lord PELHAM rose, and recited the several motions which the Noble Earl had announced his intention to bring forward, commenting on each. Upon those which we have already referred to, as forming the subject of debate the preceding day in the other House, he gave the same explanation as that delivered by his Noble Colleague (Lord Hawkesbury); but as to the conduct of Ministers upon the interposition of France in the affairs of the Ionian republic, he referred the Noble Earl to the Appendix to the Report of the Negotiation already before the House; and as to the representations made respecting the spirit of aggrandizement manifested by France on the continent, he held in his hand a paper, which he was directed by his Majesty to lay before the House, and which he supposed would supersede the necessity of the Noble Earl's motion: it was the copy of a letter addressed by Lord Hawkesbury to Lord Whitworth, immediately on his leaving this country, directing him to watch with peculiar care any spirit of aggrandizement which might be manifested by the French government after his arrival in France, and to take proper notice of any evidence of that spirit which might have occurred since the treaty of Amiens. As to the Noble Earl's proposition for an account of the nature of the intelligence upon which the assertion in his Majesty's message of March last, respecting the French and Dutch armaments, was founded, it was unnecessary to the question fixed for consideration on Monday, and impolitic to grant—unnecessary, because it was matter of notoriety, that there was at the time quite enough of armaments then preparing to warrant the assertion in his Majesty's message: for there were then nearly in readiness, French armaments for the East Indies, Louisiana, and St. Domingo, which, though ostensibly intended for legitimate objects, might, in the then state of discussions subsisting between the two governments, be converted to very hostile purposes: of this it was reasonable to entertain apprehension. The intelligence sought for, however, upon this subject, it would be impolitic to grant, because it would be to endanger the loss of an important source of private information.

Earl CARLISLE admitted the importance and necessity of the information being obtained, which the Noble Earl's motions sought for; and so convinced was he of that necessity, that he intended to submit motions of precisely the same nature to the House at a future day, but he conceived them quite unnecessary towards enabling their Lordships to decide upon the subject fixed for consideration on Monday next; from which it was highly desirable to exclude all matter not strictly re-

levant, lest it should tend to prevent that unanimity—[*A cry of Hear! hear!*]—which he hoped and trusted would prevail on that occasion. That nothing collateral should be introduced was his wish; but, no doubt, when the conduct of Ministers came to be examined—when the question should be discussed, whether they had acted so as to maintain the dignity and secure the interests of the country, then indeed the information which the Noble Lord had now in view would be material. With respect to the armaments alluded to in his Majesty's message of March last, he would say, that if Ministers had meant merely the armaments referred to by the Secretary of State in the course of this debate, the grounds of that alarming message, and of calling out the militia, such a conduct was so culpable, that they ought to have accompanied it by a proposal for a bill of indemnity. This, however, with other circumstances of their administration, would be hereafter brought before the House; but in the present instance he deprecated any thing that could lead to discussion, or to damp that zeal upon which his Majesty, in his gracious Declaration, expressed his reliance for upholding the honour and dignity of his Crown, and for asserting and maintaining the rights and interests of his people.

Lord HOBART said, that he felt the utmost pleasure in the declaration which the Noble Lord had just made, respecting the unanimity which was so very desirable in the discussion of Monday next, and he hoped that Parliament and the people would ever feel a common interest in the maintenance of a public cause, particularly one of a nature so important as that which was appointed for consideration on Monday. With regard to the threatened inquiry into the conduct of Ministers, he would observe, that whenever the day of investigation should come, he could assure the Noble Lord that they were perfectly ready and willing to meet it. He was not so confident as to say, that their conduct was without any faults; but under all the difficulties of their situation (and difficulties perhaps unprecedented in our history they had to encounter), he was quite certain that they would be found to have been uniformly actuated by the best intentions towards the honour of their Sovereign and the safety of their country.

Earl FITZWILLIAM expressed himself satisfied with the explanation of the Noble Lord (Pelham) as to the conduct of Ministers towards the *soi-disant* commercial commissioners, and said he should, with the consent of the House, propose to withdraw his motion. As to the increased armaments of France, he took occasion to observe, that, though so much talked of, they were incapable of injuring us, unless the statement as to the practicability of conveying an army under the sea to invade this country, was to be attended to. Of this, however, he had no apprehension. *(A laugh.)*

The motion being withdrawn, and a motion as to the representations made by Ministers respecting the French troops in Holland, being proposed and read,

Earl STANHOPE rose to disclaim having ever stated any thing which could warrant the inference drawn by the Noble Earl who had spoken last. The idea was quite absurd. What he said on a former occasion referred solely to the celebrated project of Fulton, the American, and which, to save his own life, he was obliged to communicate to the French government. The intelligence of this fact he had from seven different sources; and in order to save the lives of his fellow-men, and to save the fleet of his country, he thought it his duty to mention the scheme in that House, as Ministers had made no endeavour to inquire into it; though he could assure the House there were many scientific and professional men who were of opinion that this plan was practicable; and there were three Noble Lords in that House, among the friends of Ministers, who offered to investigate the plan, if called upon by them. It was properly a subject for private consideration; but if Ministers did not think proper to seek for knowledge in this way, he would certainly bring the business before the House and the public.

Lord BORINGDON rose to order, and begged that the Noble Lord might speak to the question before the House.

Lord STANHOPE asserted, that he knew the orders of the House at least as well as the Noble Lord, but he was aware of the Noble Lord's reasons for interrupting him—he was unwilling to go into the investigation.—*(A laugh.)*

Earl SPENCER, after expressing his unwillingness to take up the time of the House by adverting to the subject of the Noble Lord's observations who had just sat down, declared that he cordially concurred in the sentiments of his Noble Friend (Lord Carlisle) as to the propriety of avoiding any topic that could produce the least dissension in the vote of Monday next—a vote which must so materially concern the best interests of the state. He therefore confidently trusted that unanimity would prevail; and, in his judgment, there were more than sufficient grounds in the papers already before the House, to justify that confidence, to induce their Lordships to accede to the propriety of adopting measures to vindicate the insulted consequence of the country. No further information appeared necessary upon that head; but the case was different with respect to the system which Ministers had pursued. He wished, however,

that those two great questions should be kept quite distinct, namely, the one as to the deliberation and judgment of the House upon the cause of the country, with respect to France; and the other as to the cause of the country, with respect to Ministers. These were topics which he thought ought to be quite distinctly considered; and the motions of the Noble Earl on the floor seemed to him more properly to belong to the latter question, than to that which stood for discussion on Monday.

Lord PELHAM agreed with the Noble Earl who had just sat down, as to the propriety of separating the two questions to which he had alluded; and, with respect to the Noble Earl's motions, though some of the information they applied for did not appear at all necessary to form a correct judgment on the subject of Monday's debate, and therefore he objected to them, yet, with reference to the other objects alluded to by the Noble Lord who had spoken last, he should most probably feel it to be his duty to adopt a different line of conduct, and therefore he would recommend the Noble Earl, according to the suggestions of these Noble Lords, to withdraw his motion for the present, and in all likelihood, by the time the intelligence he wished for might be necessary, his object would be answered through a private conference; and if not, perhaps the paper he was just about to lay before the House would enable the Noble Earl to frame his motions in a more satisfactory way.

The LORD CHANCELLOR said, that he could not conceive of what stuff that man's mind must be made, who would hesitate in deciding, from a review of the papers on the table, what course the country ought to pursue for preserving its honour and security. Some Noble Lords, indeed, were free to admit, that the act of Government, in this instance at least, stood upon good grounds; but laying his claim to a candid consideration of the whole of the proceedings of Administration, he had no difficulty in stating that they would be found to stand upon justifiable grounds.

The motion was withdrawn.

Lord PELHAM presented the paper which the Noble Lord had described in his speech as the copy of instructions to Lord Whitworth; which was ordered to lie on the table.

HOUSE OF COMMONS.

Friday, May 20.—(See Minutes, p. 814.)

[MILITIA.]—The SECRETARY at WAR rose, pursuant to a notice which he had given yesterday of a motion for leave to bring in a bill for the more speedy completing of the militia, and for making several amendments in the acts for that purpose. The principal object of the intended bill was to complete the quotas of the different counties, and to facilitate the means of calling out the supplementary militia, should his Majesty think fit to have that measure adopted. Although he had the satisfaction to mention that the adoption of the measure proposed last session had produced great effect, and that nearly four fifths of the militia were already assembled; yet he could not disguise it from the House, that there were still many deficiencies to be made up in several counties. These he was sure the House would see the necessity of filling up without delay: there would consequently be a clause in the bill, empowering the Deputy Lieutenants of counties to proceed forthwith to fill up those vacancies, without any reference to their cause. As the law now stood, vacancies caused by desertion could not be filled up till three months had elapsed; but he should propose so to amend the bill, as to cause such vacancies to be filled up within the space of one month. He should also propose a clause, empowering the commandants of regiments of militia to report the vacancies, and the magistrates to levy the penalties that might be incurred, at every quarter sessions. Several abuses had crept into the enrolment of men for the militia, which it was essential to correct; and if the measure proposed appeared to be a strong one, the House, upon reflection, would see that it was not stronger than the nature of the case required. It might also happen that his Majesty would issue a proclamation, calling in deserters from the militia, in like manner as deserters from the army are invited to return. Those who should return within a given time would be free from the penalty they had incurred, while those who refused to return within the time limited would be punished as they deserved, and a description of their persons published all over the kingdom, while the magistrates would be enjoined to aid and assist in causing such persons to be arrested. Towards facilitating the enrolment of the supplementary militia, there would also be a clause in the bill similar to that introduced during the last war, for admitting men of five feet two inches; and should the course of hostilities make it necessary to embody the supplementary militia, his Majesty should be empowered so to do without being under the necessity of calling Parliament together. He should also propose that all seamen who may be serving in the militia might be turned over to the navy, and that they should be replaced by substitutes, provided at the public expense. These were the general outlines of the bill, which, when duly examined, he trusted the House would agree to, though the provisions of the bill might in some instances appear rather strong. They were not, however, stronger than the nature of the case, and of the circumstances

that called for it. The Rt. Hon. Gent. concluded with moving that leave be given to bring in a bill for the more speedy completing, &c. the enrolment of the militia.

Col. PORTER asked the Rt. Hon. Gent. if he did not intend to propose some mode for preventing the frauds that were so frequently practised by persons chosen to serve in the militia?

The SECRETARY at WAR replied, that it was intended to propose an oath similar to that prescribed by the mutiny act for recruits for the army. A man, for instance, should be examined on oath with regard to his residence, the number of his family, and whether he was enrolled in any other corps of the militia.

Mr. WINDHAM highly disapproved of the multiplication of oaths. He did not think that men's consciences were strengthened, like their bodies, by hard and frequent exercise.

Mr. BUXTON wished that persons serving in the militia should be made to declare upon oath to what parish they belonged.

Sir W. ELFORD said, it would prevent great inconveniencies and much injustice to declare in the first instance upon what plea they grounded an exemption from serving in the militia.

The SECRETARY at WAR observed, that the idea started by the Hon. Bart. had not escaped him, and that a clause would be introduced to that effect.

The question was then put for leave to bring in the bill, and agreed to.

[THE NEGOTIATION.]—Lord HAWKESBURY presented the papers which were ordered yesterday, pursuant to the motions made by Mr. Grey. In presenting them, his Lordship took an opportunity of observing, that though a variety of memorials that may have been presented, complaining of violence offered to the property of his Majesty's subjects, were not as yet arrived in this country, there were sufficient documents, however, now on the table to answer the purpose which induced the Hon. Gent. to move for them. There were also among them the papers that related to the Cape of Good Hope, and to the cession of Louisiana. In addition to the papers moved for, he had also laid upon the table, by his Majesty's command, a copy of a dispatch, which proved that no actual remonstrance had been made to the French government respecting the French troops occupying Holland, but merely an instruction to Lord Whitworth respecting the manner he should observe, and the language he should hold, when discussing that point with the French government.

Mr. GREY thought that the dispatches alluded to should be printed, together with the other papers already ordered by the House. Perhaps they might enable the House to judge of the nature of the violence offered, and of the remonstrances which that violence must, no doubt, have drawn from his Majesty's Ministers. If any other papers, containing further and more satisfactory information, could possibly be laid before the House, he readily trusted to the Noble Lord's candour to produce them. The dispatch ordered by his Majesty is said to relate to representations made respecting the continuance of French troops in Holland, contrary to the will of the people, and in direct violation of solemn treaties. As that was made a principal cause of complaint, surely there must exist some official document as to the answers made to those complaints. Lord Whitworth had undoubtedly obeyed his instructions in making the representations prescribed to him, and must have conveyed to Ministers the answers that were made to them. Of these answers Ministers must surely be in possession. But it appears from the case, as it was stated last night, that many points have been confined to verbal communications, and these have not been reduced to any official form: yet most undoubtedly it was material to know what passed here between his Majesty's Secretary of State, and the Ambassador from the French republic; for without that knowledge, how could a fair and adequate judgment be formed of the conduct and issue of the negotiation? The Noble Secretary of State must greatly increase his responsibility, if, for points of such magnitude, he trusted merely to his memory, without committing them to something in the form of an official record. Might they not be laid before the House in that shape? The Noble Lord should endeavour to hit upon some mode of submitting the tenour of these conversations to the House.

Lord HAWKESBURY observed, that what was suggested by the Hon. Gent. appeared to him wholly new, and had never yet occurred, as far as he could recollect. As to the general course of the negotiation, it was pretty well known that it was carried on at Paris, and not here. No doubt frequent conversations were carried on in London between himself and the French Ambassador, in which he took an opportunity to insist on the justice of our demands, that the French Ambassador might repeat these conversations to his government. But the principal seat of that negotiation was Paris; and indeed it could not be carried on both there and in London, without producing the greatest confusion. The preliminaries were negotiated here, and he was ready pre-

pared to produce all the documents respecting that negotiation, in case it had failed.

Mr. GREY said, he understood the Noble Lord to say that there were no written representations respecting the continuance of the French troops in Holland. Was he therefore to understand that these unwritten representations took place here? If so, some account of them might in one shape or other be laid before Parliament.

Lord HAWKESBURY contended, that in what he had said he meant no reference to Holland, but to the consuls, or commercial agents, to whom allusion was made last night.

Mr. GREY then moved, that the papers now presented be printed.

Mr. SHERIDAN thought it of the highest importance that the House should be in possession of every possible information that could enable them to come duly prepared to the discussion of the great question that was to be submitted to them on Monday next. But to him it appeared frivolous to have any additional papers printed, unless sufficient time was allowed attentively and carefully to peruse them, which could not be the case if the discussion took place on Monday. In his mind it was not so useful to come to the discussion expeditiously, as to come to it with minds fully prepared to give the question a thorough and complete investigation. To that end he ventured to suggest the propriety of deferring the discussion till Wednesday. He should now, however, beg leave to ask whether Mr. Talbot still continued at Paris, and whether M. Portalis had left London? Many reports were abroad on this subject, respecting the truth of which it was essential the public should be informed.

Lord HAWKESBURY had received no authentic account of Mr. Talbot having left Paris, neither did he know if M. Portalis was still in London. As to the reports alluded to by the Hon. Gent. that these Gentlemen might be still employed in carrying on a negotiation, there was no foundation whatever for them. He should oppose any delay in bringing on the question on Monday, unless some very urgent reason was adduced in support of it. The papers now produced and moved to be printed contained no new fact, nor any information with which Gent. might not already be acquainted. He was therefore at a loss to see any necessity for deferring the consideration of the papers already before the House.

Mr. CANNING objected to deferring the discussion beyond Monday. The papers, of which the House were already in possession, contained ample matter on which to make up their mind on the great question that was then to come before them.

Mr. WHITBREAD rose to repeat a question which he put last night, but to which he had obtained no distinct answer. The question was, whether Government had received no new communication from France since the departure of Lord Whitworth from Paris?

Lord HAWKESBURY had no difficulty in saying that he had seen a note, but not officially, until this day. He might, perhaps, produce that note, but it came to him in that sort of way, that, as to the political point which the Hon. Gent. seemed to have in view, Ministers would not be justifiable in drawing any inference from it.

Mr. WHITBREAD and Mr. GREY again asked the Noble Lord, whether substantially there was not received some communication from France, whether signed or not, whether in an official or unofficial form?

Lord HAWKESBURY would feel no difficulty in producing the communication alluded to, if it had come to him in an official form. The communication was made in a confidential manner, such indeed as prevented him from producing it. As to the substance of it, however, he had no disposition to conceal it. The communication came through a circuitous channel, and proposed a possible ground of arrangement; but it was so inadmissible, that it could not be listened to for a moment. Not only was it not put in an official shape, but it contained a proposition which it was impossible to accede to consistently with the good faith of the country, and that sense of dignity and honour which would ever characterize the conduct which this country would invariably pursue.

Lord TEMPLE repeated the question, whether Mr. Talbot was not left at Paris for the purpose of entering into negotiations with the French government; and has General Andreossi left his secretary here with a similar intention? They were said to remain merely for domestic purposes. Surely it was a new occupation for secretaries of legation to be employed in packing up trunks!

Lord HAWKESBURY replied, that neither Mr. Talbot was at Paris, nor M. Portalis here, for the purpose of carrying on any negotiation. Mr. Talbot remained to take care of the papers belonging to the embassy, and to give his countenance to such of his Majesty's subjects as still remained in France.

Mr. GREY would not inquire into the precise nature of the communication, or whether it was admissible or not. It was of extreme

importance that the House should at least be acquainted with the substance of it. He could not but suppose it to be the contre-projet which was to have been delivered to Lord Whitworth, and he trusted that the absence of official form, and its having come through a circuitous channel, would not be made a reason for refusing to lay the substance of it before the House. Such a mode of communicating information to the House was not unusual—it had been resorted to in the beginning of the last war. It was also desirable to know whether no other communication had been made to Ministers since Lord Whitworth left Paris. As for delay, he should not press it, though he entirely agreed with his Hon. Friend, Mr. Sheridan, that there would be more advantage gained by a perfect consideration of the case, than from any over-expeditious or precipitate discussion of it. If the House would but pause, and he hoped they would, the more ample and minute the information that was laid before them, the less strong might be found the case of violence and aggression: for however strong that case might have appeared in the first instance, yet subsequent explanations might in a great measure have done it away. These were the explanations which he felt so anxious to obtain, because they might materially contribute to guide the House in the judgment and opinion they were to pronounce on the present critical situation of the country. But as he was now on his legs, he must beg leave to ask another question of the Noble Lord, and that question referred to reports which were this day very generally circulated, and which seemed to be taken from the French papers, viz. that the Emperor of Russia had interposed his mediation for the adjustment of the differences now subsisting between the two countries. On this point he was extremely desirous to be accurately informed, and he wished to know if any official communication had been made respecting it.

Lord HAWKESBURY professed his readiness to afford the House every information in his power; and he perfectly agreed with the Hon. Gent. who spoke last, that no deficiency in mere point of form should preclude him from communicating a fact on which the House could be enabled to form a judgment. The communication that had been made since the departure of Lord Whitworth from Paris, was conveyed in a way that might justify him in concluding that it did not come from the French government, though in his own mind he had no doubt of its authenticity. Indeed, it was his intention to have stated it to the House on Monday next; nor would he hesitate to state it now, if he was sure it would not provoke any premature discussion.—*(A general cry of Hear! hear!)*—The communication that was thus made to him in an unofficial manner, had for its object to propose an arrangement, the subject of which was, that we were to be left in possession of Malta for a stated number of years, provided France was permitted to take possession of Otranto and Tarentum for the same number of years. As to the proposed mediation of the Emperor of Russia, the report was so far founded in fact, that his Imperial Majesty, while he seemed disposed not to interfere, had generally expressed a wish for the maintenance of peace; but it did not appear to him that his Imperial Majesty had sent any precise instructions for bringing his mediation to any distinct point whatever. The whole appeared to him, on the part of the French government, to be merely calculated to protract the negotiation, and to gain delay.

Mr. WHITBREAD and Mr. SHERIDAN anxiously pressed for laying before the House the answer to the remonstrances respecting Holland: the dispatch instructing Lord Whitworth to remonstrate on that point, was dated November 14. There must surely have been some reply to that remonstrance, and it was essential the House should be put in possession of it. He hoped the Noble Lord would not persist in refusing to produce it.

Lord HAWKESBURY must again repeat, that there was no distinct remonstrance made upon the subject. Lord Whitworth was merely instructed what language and manner he should employ in the conferences he held with the French government on these points. What that language was, abundantly appeared on the face of the papers already before the House.

Mr. SHERIDAN contended, that it would be of the utmost advantage to Government to produce the paper; for if it appeared that these remonstrances were treated with contempt, and a disregard had thus been shewn to the faith of treaties, Ministers would be able to take the strongest ground possible from that single instance in the behaviour of the French government. At all events, Lord Whitworth must, in some way or other, have reported the manner in which his remonstrances were received; and it was that report which the House must be desirous to get possession of.

Mr. CANNING concurred with Mr. Sheridan, and saw the question in a double point of view, both as it affected the cause of the country, and the conduct of Ministers.

Lord HAWKESBURY had only again to repeat, that as there was no formal remonstrance on this subject, neither could there be expected any formal answer.

Mr. SHERIDAN moved for an address to his Majesty, praying that he would order to be laid before the House the substance of the in-

formation which had been received by his Majesty's Ministers, in what manner the representations of Lord Hawkesbury, if any, respecting the armaments in the ports of Holland, had been received by the French government.

The CHANCELLOR of the EXCHEQUER assured the Hon. Gent. that any official document which was in his power, and which might tend to satisfy the wish of the House on that head, should be produced. He also stated, that up to the period of the discussions, Ministers were led to believe that the French troops would be withdrawn from Holland.

Mr. SHERIDAN, after the assurances of the Rt. Hon. Gent. consented to withdraw his motion; he, however, thought that there might be other, though not official papers.

The CHANCELLOR of the EXCHEQUER declared there were none but such as would lead to a disclosure of some of the persons concerned in giving the information.

Mr. GREY said, that he had been informed that there had been no representations made by Mr. Liston to the Batavian government on the subject, at the time alluded to.

Mr. CANNING was of opinion, that the substance of the information might be given without any disclosure.

Mr. JOHNSTONE moved for the production of certain papers respecting the Emperor of Russia having refused to garrison Malta.

Lord HAWKESBURY thought it would be more advisable for Gentlemen to give notice of such motions, as a matter of personal convenience towards the persons who were to produce them, and matter of urbanity in regard to the mover himself.—Motion withdrawn.

General GASCOYNE, after a few prefatory observations, moved for the production of papers respecting any representations made by the Maltese to our Government, from October 1801, to March 1802, and of the proclamation issued by Col. Graham to the inhabitants; also for all papers respecting the annexation of the Italian republic; also the papers relative to all the islands taken, and afterwards ceded, in the West Indies: they might have been retained with the same propriety as Malta. Another point he would submit to the Noble Secretary of State, was contained in No. 38 of the official correspondence, relative to the sending of General Georges to Canada; but on this he did not mean to take the sense of the House. Another motion which he did not mean to press was, for a copy of any accounts which had been sent by Mr. Liston to acquaint Government of the armaments going on in the ports of Holland. The Hon. Member also moved for the production of all papers that related to the island of Lampedosa, since the signing of the treaty of Amiens.

Lord HAWKESBURY rose to take up the attention of the House for a few moments. He had no difficulty in saying, that to the motion relative to the orders for the evacuation or retention of the West India islands, he had no possible objection. Whatever papers were connected with this subject should be readily produced. With regard to all the other motions, he entertained a very different opinion. As to the motion which had been put from the Chair, he felt himself called on to say, that he had seen no parliamentary ground for the production of the papers which it was the object of the motion to bring before the House. If motions of this kind, referring to subjects which were connected with events antecedent to the treaty of Amiens, were once acceded to, it was quite impossible to determine how far the same principle might be carried. It was beyond the means of calculation when such inquiries would be suspended. Though he should resist the motion, he thought it due to the House to state a few circumstances which would, in his opinion, be very satisfactory to the House. It had been asserted, and had even been introduced into periodical publications, that a remonstrance had been made by the Maltese deputies, in which they brought forward a grave subject of complaint against the Government of this country for indifference to their just rights and privileges in the arrangement of the definitive treaty. This was a charge which he felt it necessary on his part to repel in the strongest terms. With this view he could not do better than direct the attention of the House to a letter, written by the deputies subsequent to the treaty of Amiens, in which they expressed their perfect satisfaction with the conduct held towards them by Ministers, and their gratitude for the exertions which had been resorted to in their favour. Their great object, he did not mean to deny, was the privilege of being under the direct protection and government of his Britannic Majesty; but if this could not be obtained, the arrangement made in their behalf was one which they thought demanded a warm expression of gratitude.—[Here the Noble Lord read a part of the letter, which fully justified his statements. The deputies declared, that they considered it their highest honour to be admitted to the privileges of British subjects. As this, however, was impracticable, they could not, without the most affectionate gratitude, reflect on the efforts made by Ministers to secure their privileges. These efforts they should communicate with the history of their country to the latest posterity; and, while they gloried in the conti-

nuance of their privileges, they would tell, that to the British government was their protection to be ascribed.]—Having finished the reading of this extract, the Noble Lord proceeded to state, that he did not consider that any parliamentary ground had been laid for the motion. This constituted his objection, which he conceived sufficient to induce him to resist the production of the papers required. He had already declared his opinion, that, with the exception of the first motion, all the others were such as ought not to be acceded to by the House. To the last motion the answer was simple and satisfactory; it was nothing more than a repetition of the motion, which, after a great deal of argument, had been rejected on a division. The motion respecting the orders sent out to the West Indies he should willingly accede to; on all the others he should, as the most convenient way of disposing of them, move the previous question.

Mr. WINDHAM thought that the first motion was one highly necessary to the national dignity, the national interest, and the national honour. After it had been generally circulated over the country, that the representations of allies had not met with a suitable degree of attention and respect, it was highly important to know how far their rights and their wishes had been regarded by his Majesty's Ministers. If Ministers were prepared to say that these statements were not consistent with fact, this he allowed would certainly be a sufficient answer to the motion, and would supersede its necessity. But if it was said, as the Noble Lord who spoke last contended, that papers of a different description were in possession of Ministers, this he considered to be no satisfactory answer to the motion. One party said that they were perfectly satisfied with the exertions which Ministers had made in their favour. This was expressly denied by another party, who, instead of being satisfied, complained of the conduct of Ministers in the bitterest terms. Those who were connected with this party, not only gave Ministers no credit for the arrangements they had made in their favour, but positively accused them of surrendering their most important rights. These allegations were not to be set aside by declarations of a contrary description. It was essential that the House should know the character of the different parties; and a fairer ground of inquiry could not, in his opinion, be easily produced. But the Noble Lord had contended, that no parliamentary ground had been laid before the House for entertaining the motion. He confessed himself at a loss to define what particular ideas were meant to be attached to this expression. Of this, however, he was well convinced, as he had observed at the beginning of his speech, that the motion was one in which the national interest, honour, and dignity, were deeply involved. The truth of the case was what the House ought to call for on every principle of duty. In the papers to which he had already alluded, a good deal was said of the treatment which the deputies had received. It was not pretended by Ministers that those remonstrances should not be received; but the remonstrances of allies having every claim to protection, were not to be heard in a regular official manner. Now of all the possible disgraces which could attach to the government of a country, such conduct as this he could not but consider as of the most degrading description. What he desired the House to consider was, the case as described in publications circulated not only in this country, but all over Europe. It was not less than this—that the Ministers of the King of Great Britain had refused to listen in a regular official way to the remonstrances of allies who had every claim to their good offices. What, according to the statements in these publications, had been the language held to the Maltese deputies? Had they denied the justice of their claims, or rejected the urgency of their rights? No. Ministers had not taken grounds of this nature, which, if facts corresponded with their assertions, would have been perfectly justifiable. They had admitted the claims in their fullest extent; they had not denied them an opportunity of enforcing them, but in the mode of hearing these remonstrances the ground of accusation appeared. The Maltese deputies were not suffered to wait on a Noble Secretary of State (Lord Hobart) at his office, because their business was of a nature not to be discussed in an official situation. No: but because an official discussion might give umbrage to the French government. If these things were so, whatever circumstances of disgrace previously existed, this conduct was certainly the consummation of infamy. He begged it to be understood, while he made use of such language, that he used it merely with reference to the actual existence of such disgraceful conduct. He was far from meaning to assert that Ministers were guilty of the charge imputed to them; but after such charges were made against Ministers, it was fit that they should have an opportunity of exculpating their conduct. What, he desired to know, could be more ignominious than for the Ministers of a great empire to tell allies, who were entitled to every degree of kindness and protection, that their complaints, for fear of giving umbrage to another power, could not be entertained, but that they might introduce their complaints by stealth, and trust in this indirect way to some chance of redress? These were the grounds on which he should support inquiry. He should be glad to find that no truth existed in the reports which had gone abroad on this subject, but it was in the hope that this would turn out to be the case, that he was induced to support the motion.

If the grounds which had been stated in support of the motion were not parliamentary, he again repeated what he had already hinted at, that he misconceived the term, or was unable to understand its application.

The CHANCELLOR of the EXCHEQUER agreed with his Noble Friend near him (Lord Hawkesbury), that no parliamentary ground had been laid for the motion. He begged this assertion to be understood in the way in which the Noble Lord had employed it. When the Noble Lord said, that no parliamentary ground was laid for the motion, he meant, as he understood his language, merely to say that the motion was of a nature which was not at all applicable to the subject to be considered on Monday. He therefore contended, that under the present circumstances the production of the papers, which it was the object of the motion to bring before the House, could promote no useful purpose. With this sentiment of the Noble Lord he entirely coincided. But it had been contended by a Rt. Hon. Gent. on the other side, that as reports of indignities being offered to the Maltese deputies were abroad, the production of the papers was necessary to vindicate Ministers against a charge of the most grave and important nature. He must take on himself to repel such a charge in the most direct terms, and to deny that any thing approaching to indignity had ever been offered to the deputies. Such a sentiment as this he had never heard, till it had been uttered by the Rt. Hon. Gent. on the present occasion. The fact was, that during their stay in this country they had experienced every mark of respect and of kindness, and at their departure a ship was specially provided, by order of his Majesty, to convey them back to their own country. The extract from the letter read by his Noble Friend was amply sufficient to do away any impression of their being treated in a way unworthy of the claims which they possessed to a reception of the most distinguished kind. The Rt. Hon. Gent. in conclusion, referred to a similar motion being made in May last. On that occasion the motion had been rejected; and certainly whatever reasons existed to justify its rejection at that time, operated with much greater force at the present moment. He sat down by declaring his determination to vote against all the motions, with the exception of that to which his Noble Friend had adverted.

Dr. LAWRENCE argued that the motion was directly connected with the great question to be discussed on Monday. It had been argued, that because a motion to the same effect had been rejected in May last, it ought not now to be received. But he desired the House to advert to the difference of circumstances: there were now in the papers on the table three *projets* of an ultimatum proposed by Ministers to the French government. By the first of these *projets* his Majesty was to possess the sovereignty of Malta, but the civil government of the island was to remain exclusively in the hands of the order of St. John of Jerusalem. By another *projet*, his Majesty was only to have a temporary possession of the island, and at the expiration of that period the island was to be given up to the inhabitants, and their independence was to be recognized. What the causes of these variations were, it was important that the House should know, as by the first of these propositions the treaty was made the basis of the arrangement; whereas in the other the rights and privileges of the inhabitants appeared the objects of most peculiar consideration. The Hon. and Learned Member having established this argument, touched on the consideration of the necessity of the motion, drawn from views of national honour. The question here was not whether the deputies had suffered any particular indignities, but whether they had been denied a fair opportunity of stating their claims and supporting their rights—whether their remonstrances had been delivered in an official form, or whether they had been communicated by stealth, and in a manner disgraceful to the allies of an independent government? In the papers which had already been repeatedly alluded to, a charge was brought forward, that one of his Majesty's Secretaries of State had refused to receive them at his office, but, with the view of avoiding all cause of umbrage to France, had appointed them a private interview. This, if true, was a most disgraceful and reprehensible proceeding, and one which loudly called for inquiry.

Col. GRAHAM thought the motion inapplicable, as far as the debate on Monday was concerned. As to the proclamation which he had issued to the inhabitants of Malta, he could assure the House that the production of a copy of it would be altogether useless, and this on a very simple ground. He had issued the proclamation on his own private opinion of its expediency, and not on the authority of any orders which he had received from Government.

The SECRETARY at WAR did not mean to deny that the subject to which the motion referred was one which might hereafter be thought worthy of discussion. At the present moment he could not see of what advantage it would be to press it, as the production of the papers could not at all throw any additional light on the subject to be discussed on Monday. On this ground he should have no difficulty in voting for the previous question.

Mr. WARD, considering the reports circulated to the prejudice of a Noble Lord (Lord Hobart) as being in every point of view infa-

mous, wished to have a categorical answer, whether language of the nature alleged had at any time been employed to the Maltese deputies? When he reflected that the calumnies to which he had alluded were circulated not only in this country, but all over Europe, it was the more necessary that a direct answer to this question should be given by Ministers.

The CHANCELLOR of the EXCHEQUER, as a direct question had been put to him, thought it his duty to give a direct answer. This answer was in the same terms which he had formerly employed, that until this evening he had never heard of the charge which had, in the course of the debate, been so frequently referred to. He had the strongest reason for asserting, that no one of his Majesty's Ministers had ever used language of the nature described.

Mr. CANNING, though he agreed in the inference of several Gentlemen who had spoken, that the papers which it was the object of the motion to produce, had a direct application to the debate to take place on Monday, thought that the point of national honour which it involved of far greater importance. As, however, he understood, from the speech of the Secretary at War, that there was no disposition to resist the introduction of the motion at a future period, he was the less inclined to oppose the motion for the previous question. It certainly was a matter of very grave consideration, to inquire whether a Secretary of State to the King of Great Britain had refused to the allies of the Crown an opportunity of explaining their grievances and supporting their rights. This was a question, in which not only the character of the Government, but the character of the country, were deeply involved. If it was understood that there would be no objection to a full consideration of this question on a future occasion, he had no wish at present to press the discussion; but certainly this was the only ground of his forbearance. It would give him infinite pleasure to find that representations which had obtained very general currency were completely unfounded, and he fully agreed with those who thought that this expectation was the best reason for wishing the motion to be adopted. He considered the inquiry the more necessary, as, if his recollection did not materially fail him, when information was required respecting the representations of the Maltese deputies, it was answered, that no official papers on this subject existed. Was this because the deputies had not been received in an official way? Was it because the Secretary of State could not receive them at his office, but only admit them by stealth to a private meeting? He did not say that this was the case, but at the same time he thought that this was an additional ground of inquiry.

Lord CASTLEREAGH shortly resisted the motion, on the ground of its not applying to the grand subject of discussion. He denied that the Maltese deputies received any treatment which was not highly honourable and distinguished. He reprobated the charges thrown out against a Noble Secretary of State, who he was sure was utterly incapable of using the language imputed to him.

Lord TEMPLE thought inquiry peculiarly necessary. He protested, however, against any inference being drawn against the character of the Noble Secretary of State: he believed him incapable of the language and conduct represented; but if such language was used, he was sure that it was contrary to the Noble Lord's own feelings. It was surely a part of the general system which Ministers had adopted, and was a proof how little consistent that system was with every view of national character, dignity, or honour.

Mr. WILLIAM SMITH gave his support to the arguments, and commended the candour of the Noble Secretary of State. He trusted that the Hon. Member would consent to withdraw his motion.

After mutual explanations between the Hon. Mover, Lord Hawkesbury, and other Gentlemen who had previously spoken on the subject, the question was put, and the motion for the previous question carried on all, except that which related to the islands in the West Indies.

HOUSE OF LORDS.

Monday, May 23.—(See Minutes, p. 816.)

[ADDRESS TO THE KING.]—Lord PELHAM rose to move the address. From the papers which were on the table, he was confident that their Lordships must see that Ministers had no wish whatever to conceal any part of their conduct, not only during the late negotiations, but through any part of the period which had elapsed since the signature of the definitive treaty. For himself he could state his conviction, that in the whole of this conduct there was no reasonable ground of reproach. Of this he was at least sure, that Ministers had, to the best of their abilities and knowledge, acted a conscientious part during the whole of that important period. He was not now disposed to contend that their conduct might not, on a future occasion, be made the subject of solemn inquiry, but he could not but express a hope that the discussion on the present occasion might be conducted with as little reference as possible to the conduct and merits of Ministers. That conduct and those merits might be considered on a future day, without at all compromising

any support which might be given to the address. To introduce these two subjects at the same time would only have the effect of fettering the decision. From a perusal of the papers on the table, the great and indeed the only question was, whether a distinct and legitimate ground of war had been established. After having seriously and maturely considered the whole of the papers, and after reflecting on the part which, as one of his Majesty's confidential Ministers, he had thought it his duty to pursue, he had no difficulty in declaring that he considered the ground of war contained in the documents in the hands of their Lordships to be the most strong, the most clear, the most distinct which were ever submitted to Parliament. The conclusion which those documents, in his opinion, left on the minds of all unprejudiced men, must be, that war was, by the conduct of the French government, rendered inevitable. It was necessary to the support of the national honour, the protection of the national rights. The interests of our commerce, the safety of our liberties, the existence of our independence, were all involved in the appearance of effectual resistance to French aggrandizement and ambition. His Lordship declared it not to be his wish or intention to go minutely through the papers, because he had no doubt that their Lordships had given them a very attentive consideration, and had formed the conclusion which a careful perusal was calculated to induce. It was only necessary for him to trace the outline of the conduct pursued by the two governments since the conclusion of the treaty of Amiens. Proceeding on this principle, he adverted briefly to the principal points of dispute betwixt the two governments, as described in the documents on the table. With respect to Malta, the conduct pursued on the part of this country was such as must prove the sincerest desire of peace. A very short period had elapsed before, with the view of facilitating the evacuation of the island, an accredited officer was appointed to arrange the mode in which it was to take place. Capt. Sir Alexander Ball received full powers and instructions to concert with an agent on the part of the French government the means of executing the article of the treaty with the least possible difficulty. Previous to the evacuation, the election of a Grand Master was an object of important consideration, and to this his Majesty had given every possible facility. The Grand Master then chosen had seen reasons for not acceding to the election, and a new election became indispensable. Again, his Majesty, actuated by the same desire of peace, and the same wish of carrying into effect the stipulations of the treaty with scrupulous fidelity, acceded to an arrangement for a subsequent election, with the view of removing every obstacle to the evacuation of the island. A body of Neapolitan troops were in the first instance to be admitted into the island, and to their admission, on the part of his Majesty, not the smallest obstacle was opposed. In a word, without going into any minuteness of detail, he would content himself with referring their Lordships to the clear and unequivocal proofs of a pacific spirit which had, throughout the whole of the stipulated arrangements relative to Malta, been exhibited on the part of this country. It was about the 27th of January that the French government began to press, in a very peremptory manner, the evacuation of Malta; and it was about that period that Ministers thought themselves bound to demand some satisfactory explanation of the pretensions advanced and the views disclosed by the French government. Circumstances then existed, which rendered it necessary to refer back to what had been the conduct of the First Consul from the period when the treaty was concluded. In the course of this review, the plain, the irresistible inference was, that the conduct of the French government had been one constant series of acts totally inconsistent with a sincere desire of preserving the peace of the two countries. At an early period after the treaty was signed, representations were made about the freedom of the press in this country, the publications reflecting on the French government, to which this freedom gave rise, and the necessity of subjecting not only the press, but the deliberative assemblies of the country, to a degree of restraint inconsistent with the genius of our excellent constitution. The stay of the Princes of the house of Bourbon, of certain bishops particularly named, and a number of emigrants who continued to wear the badges of extinguished royalty, were made the subjects of complaint. What the answer of Ministers to these complaints was, was sufficiently explained in the papers; and he entertained a confident expectation that it was of a nature to meet with universal support and approbation. With regard to the complaint about the freedom of discussion in different publications, it was hardly necessary for him to say that he was a decided friend to a free press. He did not mean to deny that this freedom was sometimes carried to an unjustifiable length, and was applied to very improper purposes. He would allow that he had met with publications whose spirit and tendency he extremely disapproved of, as being calculated only to produce irritation, and to ferment that spirit of inveteracy which it was one great object of the peace to extinguish. Ministers had shewn their disposition to give no countenance to publications of this kind, by referring the French government to the tribunals of the country, in which alone, according to the genius of our constitution, adequate redress could be obtained. This answer was not held in all respects satisfactory by the French government, and a spirit of distrust and animosity continued to be che-

rished. He was convinced that it was unnecessary to remind their Lordships minutely of the various other proofs which the French government had given of a hostile and dangerous spirit. It would be necessary only to refer to a few which were most prominent and worthy of consideration. At the period when the First Consul began to be so extremely clamorous about the evacuation of Malta, it would not be forgotten by their Lordships, that an official document of a very extraordinary nature made its appearance in France. He meant to allude to the Report of Col. Sebastiani, an agent dispatched by the First Consul to make the tour of the greater part of the provinces of the Turkish empire. The publication of this Report necessarily excited suspicion. It disclosed views and unfolded projects which could not fail to attract the peculiar notice of Ministers. In every page one most important lesson was to be collected, that the views of the First Consul relative to Egypt had not been for a moment abandoned. It was clearly seen that the possession of that country was the constant object of his ambition. The internal evidence of the Report proved this in a way which could not be misunderstood by the most careless observer. If, however, this inference had been at all doubtful, this doubt must have been completely removed by subsequent circumstances. In an interview with our Ambassador, the First Consul had not thought it necessary to throw the slightest veil of secrecy over his designs. The publication of the Report was sufficient to rouse our jealousy; but the language of the First Magistrate of France rendered it more peculiarly worthy of observation. In a formal conference with the Ambassador of an independent power, the First Consul had not hesitated to declare that Egypt must sooner or later be in the possession of France. He would put it to the candour and the feelings of their Lordships, whether Ministers were not entitled to demand from the French government some security for its future views relative to Egypt, beyond what the treaty of Amiens provided. In the continued possession of Malta, Ministers conceived that this security could be found; and hence originated the discussions which this subject had created, and the importance which the possession of the island afterwards assumed. Malta, in the hands of this country, could only be viewed as a security: it could afford to France, or any other power, no reasonable ground of jealousy or alarm. No other place was liable to so little objection, and on this ground Ministers rested their claims to its possession. But, independent of these considerations, there were others which justified Ministers in retaining the island. When the treaty of Amiens was formed, and when, according to the stipulations of that treaty, the island was to be restored to the order of St. John of Jerusalem, certain revenues were understood to be appropriated to their support, in a way consistent with the objects which the treaty proposed to establish. Without this support, it was absurd to talk of that independence which the treaty professedly guaranticd. But their Lordships could not have forgotten, that in Spain the revenues of the order had been confiscated. The same thing had taken place in Italy and in Bavaria. The French government, so far from opposing any obstacle to this sequestration, had appeared to have encouraged it, in a way which shewed a very great degree of disinclination to the execution of the treaty. After pursuing this species of conduct, it was with a very bad grace that the First Consul came forward to insist on the peremptory execution of the treaty. As long as the hope of peace could, with the smallest degree of reason, be entertained, Ministers had shewn the utmost reluctance to resort to any measure which might hasten on a renewal of hostilities. When, however, the conduct of the French government had become such as could no longer be tolerated, consistent with national honour, dignity, or safety, it became Parliament and the country to speak in terms of suitable indignation of these repeated acts of insult and aggression. If war had become inevitable, it ought to be a war in which the national spirit should be excited in a way which would demonstrate to a proud and insolent foe, that while the people of this country were not anxious for an opportunity of taking offence, they were sensibly alive to the least imputation of dishonour, and determined on punishing insults with the most exemplary vengeance. If the conduct of Ministers was in any respect to be blamed, it possibly might be on the ground that they had not, at a much earlier period, shewn a determination no longer to suffer the insults or the injuries of the French government to pass over with impunity. Peace was in itself so important a blessing, that great allowances were to be made in favour of exertions to preserve its continuance. He would deny, however, in the strongest terms any imputation against Ministers for yielding to any dishonourable sacrifices, with the view of preserving peace. They had certainly manifested extraordinary forbearance, but he trusted it would be found, that in no part of their conduct had they displayed a spirit unworthy of the lofty character which England had long held among the commonwealths of Europe. Delay had, no doubt, to a considerable degree, taken place; but he was convinced, that any inconvenience which might have taken place from the delay, was more than counterbalanced by the additional evidence which was given to this country and to Europe of that pacific spirit by which the councils of his Majesty had been governed. Under all these circumstances of the case, his Lordship thought that there could be no difficulty in agreeing to the address with which he meant to conclude. It should be of that sim-

ple and precise nature which would be the least liable to create any thing like the application of party spirit; it should be such an address as might be voted on true English principles, without at all involving a pledge of approbation to the whole conduct of Ministers since the conclusion of the treaty; it should be such an address as naturally originated out of those views of French aggrandizement, encroachment, and ambition, which the papers in the hands of their Lordships disclosed.—His Lordship concluded by moving the address, in which an assurance was given to his Majesty of the conviction entertained by their Lordships of his sincere and anxious desire to preserve to his subjects the blessings of peace; their regret that these wishes had not been met by a corresponding disposition on the part of the French government; of the feeling of lively indignation with which they heard of the spirit of encroachment and ambition which that government had, ever since the conclusion of the treaty, manifested; of the reliance which his Majesty might have on the support of their Lordships in maintaining the just rights of his kingdom, the honour of his crown, and the security of his people.

The Duke of CUMBERLAND rose to second the motion, which he did in a very elegant and impressive speech. His R. H. thought, that from the papers on the table the only question was, whether England was to continue a free and independent kingdom, as she had existed for so many ages, or whether she was to sink into that state of degrading vassalage to which many of the continental powers were now unhappily reduced? This was a question for which their Lordships and the country had long been prepared by the constant proofs exhibited of the operation of French ambition. If any evidence had been wanting to establish the existence of this ambition, by the papers on the table such evidence would have been abundantly supplied. Never, in his opinion, was a specific case of ambition and encroachment, inconsistent with the independence of all other states, more satisfactorily proved. Threatened then as the country was by a power to whose lust of dominion there was no restraint and no end, he trusted that it would be animated by one general sentiment of patriotism. The present was a moment, above all others, when every man was called upon to unite hand in hand, to put his shoulder to the difficulties in which the country was placed, and to make light of all personal consideration, with the view of more effectually co-operating in the great cause. We were not now called on to contend for light objects, or indifferent and doubtful interests; our liberty, our religion was at stake. At this moment we were to contend for all that is most valuable in civil society, for all that is most esteemed by men who have experienced the blessings of liberty. It was hardly necessary for him to recall to the attention of their Lordships those times of civic dissension, which formerly desolated this fair land, and rendered the country a prey to every foreign invader. Firmness and unanimity were only wanting to enable us to triumph over every enemy, however formidable. The character of the First Consul of France could not be too often a subject of contemplation. When he spoke of this personage, he meant to apply his observations merely to his character. Speaking then of him merely in this character, he must be permitted to say, that he considered him as the decided enemy of this country—and this was the only country which could stem the torrent of his insatiable thirst of dominion. Putting the most favourable construction on his conduct, it could not be denied that he was a man whose friendship was dangerous, and even destructive. What, he desired their Lordships to consider, was was the present state of France? The French had given up their nobility and their wealth; they had seen their altars stripped of their accustomed worship, and the rites of their religion profaned; they had submitted to privations of the most grievous kind: and all these sacrifices they had endured for the great object of procuring liberty. But had they obtained this liberty by all these painful exertions? On the contrary, were they not now subject to the most galling and the most ignominious despotism? What was the situation of Holland, professedly under the protection of the First Consul? Was she not bending under the yoke, and deprived of all her ancient energies? Did she not exhibit a humiliating contrast from the picture she exhibited in the better times of her history? What was the view which Switzerland presented to the eye of humanity? Peace and tranquillity were driven from that region, which for ages they seemed to have taken up for their favourite abode; and the mild virtues of a free and interesting people were contaminated by the pollution of French fraternity. But what had been the conduct of the First Consul to this country? Was there a single part of Europe where French influence had not been exerted to undermine and destroy the influence of this country? Was there any one effort omitted to create a prejudice to our disadvantage? He needed only, for the answers to these questions, to refer their Lordships to the open and avowed exertions of the French government on the subject. Whatever obstruction our commercial prosperity could meet with had been offered, with a degree of continued hostility which sufficiently manifested the disposition of the French government to be essentially and irreconcilably hostile. But the views manifested by the French government with respect to Egypt were particularly worthy of attention. The possession of that country had been avowed to be the object of peculiar avidity; it did not require much political sa-

gacity to point out the connexion betwixt the possession of Egypt, and the insecurity of our Eastern dominions. His R. H. took occasion here particularly to refer to the conversation of the 21st of February, betwixt Buonaparté and our Ambassador, in which the First Consul, with so little desire of concealment, discloses his certain prospect of the ultimate possession of Egypt. After shortly alluding to the atrocious and malignant accusation brought by the French government, that eminent public characters in this country were for encouraging assassination, which he reprobated in terms of very strong indignation, his R. H. adverted to the claims set up by France for curtailing the liberty of the press, for dismissing emigrants from the enjoyment of that hospitality which had been their refuge when driven from their native land, and to the other propositions intended to introduce changes into our domestic system. He was confident that he spoke the sentiments of every one of their Lordships, when he said that such attempts to dictate to the government of this free and independent country were such as ought to be resisted with the utmost vigour. The First Consul was, indeed, so much in the habit of dictating to dependant powers, and he had so completely established a system of absolute sway in France, that such requisitions, however firmly and indignantly they might be resisted, did not excite much astonishment. Whole countries had, from the time that the treaty of peace was concluded, been annexed to France, and every new act of the government was a new ground of jealousy and alarm. This system of encroachment and ambition she had, in so many various ways, so unequivocally displayed, that forbearance became impossible, and a war on the part of this country had become the only means of preserving inviolate the free constitution which had been transmitted to us from our fathers as the price of their labours, their sufferings, and their blood. As this great inheritance had been received unsullied and unpolluted, so he trusted that it would be handed down entire and unchanged to our children, who might, in their turn, perpetuate its descent to distant times. After witnessing all the encroachments of French ambition, was this country at last to fall a sacrifice to the ambition which knew no bounds? He would not for a moment detain their Lordships with such an unworthy idea. He trusted that the period would never come when our nobility would be overturned, when our constitution would be destroyed, the sanctuary of domestic virtue invaded, the altar of religion defiled. Then, indeed, would be the consummation of national infamy, and the glory of England would be stranded in darkness never to be dispelled. Such a crisis could never approach, if the people were true to themselves, and determined, as he was confident they would be, in resisting any foreign invader. If they were animated by a general sentiment of loyalty, if they discovered a proper degree of affectionate attachment to their Sovereign and their country, we should continue what we had long been, the freest and happiest nation in Europe. It had been said in an official paper of the French government, that England, single-handed, could not contend against France. This was a sentiment, the fallacy of which the whole history of this country contradicted; and he trusted, that, when driven to hostilities by unprovoked insults and aggressions, we should never want an arm to check injustice, and to punish lawless ambition. His R. H. concluded his speech by again urging the necessity of unanimity, and expressing himself in decided terms in favour of the address, which, in his opinion, was most unequivocally justified by the papers on the table.

Earl STANHOPE gave the Noble Lord who moved the address great credit for the fairness and the candour with which he had introduced it. There were not many of the propositions which he had laid down that he was at all disposed to controvert. On a few of the positions, however, he should beg leave to offer some observations. He trusted that their Lordships would unanimously be disposed to follow the wise and patriotic line of conduct which his R. H. who had just sat down, had so eloquently recommended. All party feelings and party distinctions would, he was convinced, be banished at a period so perilous as the present was, whether the nature of the contest, or the enemy with whom it was to be sustained, were to be considered. When the great question was, in what manner the country was to be most effectually saved, he conceived that moderation and mildness of temper ought to be the predominant principles of opinion. So much convinced was he of the propriety of this, that in the observations which he had now to offer, he should not consider himself at all as debating in Parliament, but rather as giving sentence in a judicial proceeding. He should therefore endeavour to keep his mind as free from the influence of passion or prejudice as if he were deciding on an impeachment in Westminster Hall. In doing this, he should attempt to state what the real differences betwixt the two countries were; and in his description of these differences he should take as little as possible from his own recollection, and as much as possible from the papers on the table. In the 102d page of the Correspondence, a proposition was brought forward by Ministers, that Malta should remain in the hands of this country for ten years, and it was hardly necessary for him to remind their Lordships, that, agreeably to the terms of the treaty of peace, it was to be given up by this country in three months after the ratification had taken place. He would not take on himself to say, that no circumstances might have occurred which

rendered the non-execution of the stipulation highly proper and highly expedient. Whether such circumstances did occur, was the great subject for examination at the present moment. Now, with reference to the possession of Malta, it was of consequence to ascertain whether Ministers had always represented it as the grand object of dispute betwixt the two governments. In paper 83 of the Correspondence, he found that the acceptance of a *projet* relative to Malta would, according to the representation of a Noble Secretary of State (Lord Hawkesbury), remove one of the most material of the difficulties existing between the two governments. For himself, he was ready to confess, that there was an object much dearer to his heart than the possession of Malta, important as he considered it. This was the maintenance of the constitution and the liberties of his country. One single iota of those liberties and that constitution he would on no account consent to relinquish; and any attack on them, on the part of a foreign power, he would consider as a ground of war, on which no possible diversity of opinion could prevail. He did not think, that in the principle on which the retention of Malta was required, Ministers were justified. Their argument was, that because, since the signature of the definitive treaty, France had received a considerable accession of power, therefore England was required to hold Malta by way of additional security. To such a principle as this he never could give his approbation. He would put a case to the candour of their Lordships, from which some idea might be formed of the principle which Ministers set up in defence of the retention of Malta. Supposing that Cuba had, during the intermediate period, been ceded to this country by Spain, or Sicily by the King of Naples, what would any of their Lordships think if Buonaparté had come to this country with a demand for additional security in consequence of this cession? Was there a single individual, having a drop of English blood in his bosom, who would not have indignantly spurned at such a requisition? How then were Ministers to be justified in the principle which they had laid down for the retention of Malta? As it appeared to him, the whole of their argument fell to the ground. But he was ready to admit, for the sake of argument, the principle which Ministers seemed so anxious to establish, and all that he had to require on his part was, that if their proposition was true in principle, they would have no objection to his contending that it ought to be equally true in point of fact. With this understanding he should contend, that, instead of the power of France being augmented since the peace, it had been materially decreased. In Europe it might indeed be said, that it had been increased; but this was a necessary consequence of antecedent events. After the battles of Marengo and Hohenlinden, all the subordinate states of Europe were virtually under her control, and any formal cession was merely a nominal, not a real accession of power. But he begged their Lordships to consider what was the decrease and influence of power which the French government had sustained in other parts of the world. Did their Lordships bear in mind, that, since the signature of the definitive treaty, the important colony of St. Domingo, a colony, in point of real value and importance, superior to all the other French possessions in the West Indies, had been lost to France? In stating the debtor and creditor side of the account, this was a circumstance deserving of peculiar attention. His Lordship, in this part of his argument, took occasion to refer to the exertion of a well-known society at Paris (*Les Amis des Noirs*), who, with the most philanthropic views, had established a system as applicable to the Blacks in the West Indies, which, if carried into full effect, might have been productive of the most serious consequences. The negroes might have been conciliated and effectually trained to arms. A numerous and formidable body of soldiers might have been employed in attempting a descent on some one or other of our West India islands. Jamaica itself might have fallen in a warfare so conducted. On the most respectable authorities it had been stated, that ships with quantities of ammunition, and a proportionate number of troops, might have been landed in some one of our islands before such an event could be anticipated, and the most disastrous consequences might have ensued. The existence of our whole West India possessions might have been exposed to the most imminent peril; but now all this danger had entirely disappeared. By the unwise conduct of the First Consul, for whatever was contrary to the rights of man he must always consider unwise, a system of extermination had been pursued, by which the indignation of the Blacks was exasperated to madness, and France was deprived of one of the richest and the fairest colonies of the world. But Ministers, after all this, still reverted to the views of Buonaparté respecting Egypt. Putting this question fairly and candidly, he wished to ask their Lordships, whether it was meant to be insinuated that the predilection of Buonaparté for Egypt was any thing novel? Was it not well enough ascertained, that the possession of it was one of his most favourite objects? Did he not, for the accomplishment of this object, sacrifice one of the bravest armies that ever followed the fortunes of a favourite general? Because the First Consul had at one time expressed a very strong inclination to obtain possession of Egypt, he did not think that this was a sufficient ground for the retention of Malta, in the way in which it was by Ministers proposed to be retained. He desired their Lordships to reflect on this circumstance, that a favourable change might be introduced into the senti-

ments and views of the First Consul. He had not shewn himself to be guided by any systematic or invariable principles. It was impossible, from what he had done to-day, to calculate what he would do to-morrow. This might, with some persons, be a ground of censure; but he liked the First Consul the better for this disposition. There appeared to him, his Lordship argued, something laughable in the whole of the arrangements relative to the retention of Malta. The ultimatum of Ministers was, that Malta should remain in our possession for ten years. Now he would beg to know what was the object of such arrangement? Was there any thing mysterious in having Malta in our possession by a bond for ten years? He should wish to be informed, whether any important national advantage could result from it? After the ten years were expired, were the ambitious views of Buonaparté to be moderated? Was he to divest himself of all the qualities which were now the objects of anxiety and alarm? He certainly entertained no sort of doubt of the views of the French government respecting Egypt, and he would be the last man in the world to deny that, with a view to the security of our Eastern dominions, the possession of Egypt by France was certainly an event most earnestly to be deplored. He differed, however, from Ministers on this point in the most decided manner. He differed from them on the simple principle, that Malta ought to be kept in perpetuity by this country. But how had Ministers conducted the discussion? Their conduct, as he had before hinted, was ridiculous in the highest degree. It appeared in page 110 of the Correspondence, in a dispatch dated as near to the present day as the 12th of May, that at the time when Lord Whitworth was preparing to set out from Paris, M. Talleyrand brought forward a proposition, holding out a prospect of allowing us to retain Malta in perpetuity for a valuable consideration. The answer to this proposition was of a very simple description. Lord Whitworth solicited for his passports, and left Paris without any explanation. This he could not help thinking contrary to all the wisest maxims of policy. It appeared to him, indeed, to violate the plainest principles of common sense. In judging of this question, he thought that he could not have a better criterion of judgment, than by putting himself in the supposed situation of an arbitrator. Acting in this capacity, if he were called on to decide on the differences of two individuals, he should begin by ascertaining what were the particular objects to which they respectively laid claim. If he found that the claims of both referred to the same object, his arbitration might then appear fruitless. If, however, he found, on the contrary, that their wishes were directed to different aed unconnected objects, the task of arbitration would become easy. He should in this case ask the parties, what they respectively wanted? He should make an equitable adjustment, and leave them to settle the difference. But Ministers did not rest their case with Malta. They had a long string of complaints against the French government, respecting the curtailment of the liberty of the press, the dismissal of emigrants, and the seditious publications of bishops. The insolence of Buonaparté, in requiring these concessions to his haughty demands, had been made a subject of very general complaint. He was ready to declare, that after having perused the papers with the greatest possible attention, he saw no proof of his insolence in the correspondence betwixt the two governments. If the French government really required that the liberty of the press should be curtailed, that the freedom of discussion in both Houses of Parliament should be limited, then he declared that Ministers ought to have insisted on an immediate and distinct explanation. If the answer of the French government was not satisfactory, what was to be the conduct pursued by Ministers? They ought to have recalled our Minister that day, and on the succeeding day our cannon ought to have roared to avenge the insult offered to the national honour. He scarcely thought it necessary for him to declare his attachment to the liberty of the press. There was no constitutional privilege to which he was more strongly attached; he had even written a pamphlet in its defence; it was a privilege which he would surrender only with his life. But while he was an advocate for the liberty of the press, he was not to stand up for its licentiousness. He gave the Noble Lord who opened the discussion credit for the candour and the openness with which he had spoken on the subject. The Noble Lord allowed that he had seen some late publications of a most mischievous tendency. This he could say from his own knowledge—some of these publications were indeed of a nature which could not be justified on any principle of regard to the rights of independent states. It was of great importance that the liberty of the press, as it ought to be exercised, should be clearly and accurately defined. He wished to state to their Lordships what were the views which he entertained on the subject. The criterion betwixt what was false, scandalous, and scurrilous, was what would be tolerated with respect to the Ministers of the Crown. What could not be applied to their conduct, it was unfair and criminal to apply to the conduct of the first magistrates of other countries. On this point he thought the First Consul of France had a right to complain, because it does not appear that any specific case of insolence on the part of the government of France was established. The plain objection against Ministers was this, that they did not make a specific remonstrance: they suffered past injuries to pass over unnoticed; they continued to negotiate

about Malta, and they have no ground now to hold up these as real grounds for war. His Lordship next touched upon the armaments described in the ports of France and Holland, alluded to in his Majesty's first message. Here he thought the matter lay in a very narrow compass. Ministers asserted the existence of armaments, without producing even an intimation of preparations. The French government denies the assertion of Ministers, and appeals to facts in support of their assertion. The defence on this point was what the public anxiously looked for on as early a day as possible. His Lordship, after a few more observations, concluded by saying that he should vote against the address, as it was now formed, whatever his sentiments of indignation were against French ambition. Before he sat down, he paid some high compliments to a Rt. Hon. Gent. (Mr. Addington), whose uprightness of conduct demanded the highest approbation. He was confident of that Rt. Hon Gent.'s sincere desire of peace, and thought that even still an effort might be made to maintain the continuance of tranquillity betwixt the governments.

The Duke of CLARENCE rose, and said, that he was one of those who had voted for peace, and supported his Majesty's Ministers in executing the treaty of Amiens, because he had perceived the general wish for peace: on that account, he accorded with it, though he must acknowledge he never thought it could be lasting; and he would add, that he was considerably disappointed when he heard it was signed. But under existing circumstances he had no doubt that Ministers had done the best for the country. After having read over many of the articles, and commented on them with great judgment and perspicuity, he called their Lordships' attention to Malta, which he impressively stated would be a place of defence, and not of offence, in the hands of Great Britain; but in the possession of France, it would necessarily lead to the most dangerous consequences: from Toulon a squadron may sail to Malta, from Malta to Egypt, and from Egypt to our Eastern possessions. The Noble Earl (Stanhope) said, that, by the conduct of the First Consul himself, St. Domingo was lost to France. He thought differently; and was of opinion that France lost St. Domingo through this country, which had lately opened its eyes to the designs of a few desperate men. It was in consequence of his Majesty's message of the 9th of March, that it might be said to the French government, You shall not have St. Domingo, You shall not have Louisiana, or the Floridas: and to her ally the Batavian republic I would say, You shall not have the Cape of Good Hope, you shall not have but what Great Britain pleases to give you. But, my Lords, I will declare to you, that, notwithstanding my wish to see my country ascend in the scale of Europe, I would not wish to see France put down. I do think that for the sake of preserving a balance and securing liberty there should be a species of rivalry. I only wish that England may assert herself, and correct the insolence of France, who, whether at peace or war, will always be the enemy of this country. Having said thus much, he would no longer trespass on their Lordships' patience, but give his cordial support to the address.

Lord MULGRAVE. The present subject, which involves both the interest and independence of Great Britain, is of too much importance not to excite the feelings and command the most serious consideration of every Englishman. Before I proceed farther, I will return thanks to his Majesty's Ministers for their forbearance, for their conciliatory spirit, and for their estimation of the feelings of this House and of the country. I will follow their example, and abstain from any comments that would irritate or provoke, because I think it beneath the dignity of the House to express its feelings upon the insults offered by France, on the course of her ambition, and upon her various aggressions. I shall notice part of the speech of a Noble Earl (Stanhope), which was one of the most extraordinary I have ever heard. If in his own person he wished to provoke a debate in the House, he could not resort to more effectual means than his expression of English sentiments and French partiality. The Noble Earl would give up Guernsey and Jersey to the First Consul for Malta; he would yield the possession of those islands for the basest of purposes—he would barter them in order to appease the French government; he would surrender up their inhabitants, whose loyalty to his Majesty, and attachment to this country, is unquestionable. Having read the negotiation, my Lords, with close attention, as I am sure each of you has, I will ask, whether the state of affairs, whether circumstances being maturely weighed, it ought not to be matter of exultation that the treaty of Amiens no longer exists? I was one of those who wished for peace, and deprecated war as the greatest of calamities; but I have considered the 10th article of the treaty of Amiens as incapable of execution in its real sense and spirit; but as it has been signed, and as the honour of his Majesty and of the country is committed, it ought to be adhered to. Yes, my Lords, a treaty should be sacred. But if one of the contracting parties departs from it, then the other is no longer bound. I would ask you, my Lords, I would ask my country, and all Europe, whether there were not dispositions manifested, whether acts of hostility were not committed by the French government, which violated the treaty, and justified this country in demanding security against the gigantic strides of its insatiable ambition? It is impossible, from the purview of this treaty, and of the circumstances attending it, that it can

continue any longer. Let me call your attention, my Lords, to the 10th article of the treaty of Amiens, and consider it in every point of view. How has the French government acted in conformity to the spirit and meaning of it? Why, my Lords, on the 11th of September 1802, Piedmont was annexed to France. Is this, my Lords, a *bagatelle?* Piedmont is a country of greater importance than is generally supposed; its resources are great for its extent; and its productions abundant. We know that its princes, supported by the ardour of the people, served as a counterpoise against Austria in former wars; and shall we admit as a mere *bagatelle*, that the resources of a country capable of being dangerous, in the hands of France, against Germany, and consequently against Europe, at present shall be so employed—shall we consider this as a *bagatelle?*—"Ces sont les bagatelles." Is not this a reason why this country should demand explanation and additional security in consequence of the annexation of this valuable territory? The Helvetic republic was to have been independent, it was to have the power of legislating for itself—but see it reduced to the vassalage of France, trodden upon by her armies, and obliged to accept a constitution. What is the state of Holland? Compelled to feed and pay the armies of its great ally and protector, it groans under the weight of its slavery. What are we to understand by slavery? If a country cannot act in conformity to its own wishes, if it cannot legislate for itself, if it should be obliged to give up, when called upon, every thing it possesses, under the pretence of friendship, to an ambitious and powerful neighbour—what is this but slavery? And such is the condition of Holland, or, as it is nick-named, the Batavian republic. Can she be distinguished in any respect from France? Is she not completely prostrated? I do therefore call upon you, my Lords, to say, whether the aggregate, at least of the ambitious and domineering acts of the French government in Europe, and its views respecting Asia and India, should not be well weighed; and before I would commence on this occasion, I should weigh the conclusion very deliberately. But, my Lords, the conclusion is most clear and decisive, and his Majesty's Ministers have declared, that notwithstanding the many incitements to irritation and hostility they had received, still that they preferred the blessings of peace, consistently with the dignity of the Crown, and the honour and welfare of the country, to every other consideration, and did ingenuously profess an intention to execute the treaty of Amiens. But in the purview of this treaty the independence of Malta was to be guarantied; a Grand Master was to be appointed—by whom?—By the langues, and to be confirmed by the Pope. View this subject in its proper point of view, my Lords; the Grand Master was to be confirmed in his situation, by the Pope. The guarantee of the Pope, my Lords, in past ages, might have been sufficient security, when he could say to one power, You shall submit to my mandate, or I will excommunicate you, and absolve all your subjects from their allegiance.—But without dwelling on the power of the Pope in former ages, what is his power at present? Is he not the vassal of the French republic? Is he not the instrument of its ambition? Is he not all things unto all men, when the Consul commands? But, my Lords, there is somewhat extraordinary in the history of the langues of Malta. I shall instance one, in order to shew the insecurity of any treaty that might be subject to its ratification, as far as the articles respecting it may be extended. "A Grand Master had offended the langues: in consequence, as they thought they had a right to do, they suspended him; he appealed to the Pope, who remonstrated, but in vain; the Grand Master, appointed by the langues, continued in his office until death." This, my Lords, is an historical and unequivocal proof of the hostility of the knights of Malta to the papal power. It is evident, under the circumstances of the present case, that the Pope cannot be a sufficient guarantee for the independence of Malta; without power, without territory, without even spiritual influence, what security can be afforded by him to the British empire? I shall now, my Lords, call your attention to Colonel Sebastiani's Report; a Report which was given officially, but was it given in the spirit of commercial rivalry? No, my Lords; disregarding the ties by which both countries ought to be united, he proceeds on his expedition. He passes from Africa to Asia; he visits Ghezar Pacha, as he acknowledges at the risk of his life; so anxious was he to perform his employer's mission. Having made his arrangements and impressions in that quarter, he proceeded to the Ionian islands, in which, having ascertained his influence, he informs the First Consul that the inhabitants will be ready at any favourable opportunity to shake off the yoke. In this view of the subject can it be said, that Buonaparté has executed the treaty of Amiens? No, my Lords: conformably to it, the independence of the Ionian islands was secured. Conformably to its stipulations, the integrity of the Turkish empire was to be confirmed; but how does it accord with the mission of Sebastiani? Surely not, my Lords. But allow me to observe on the conversation of the First Consul with Lord Whitworth—[Here the Noble Lord recited the conversation from the printed papers.]—Under these circumstances allow me to ask, whether we are declaring war against France, or France against us? Are there not grounds at least, my Lords, of apprehension? And why should Great Britain for an instant hesitate to bring the point to an issue? But consider this subject a little farther. In turning over the pages of the negotiation, I find a note from M. Otto, requesting to send away from this country the princes, bishops, and

other emigrants, who had sacrificed their comforts, their property, their connexions, and, in fine, all that was dear to them, to their honour and principles. The Government of this country was called upon to banish them, to refuse them the rites of hospitality, and eject them from us as outcasts of society, doomed to encounter the horrors of degradation, poverty, and perhaps persecution. But, my Lords, what language is this? Is it not speaking to the Government of this country, as to the King of Naples? Is it not commanding us in a manner to succumb to the yoke, and bear the iron rod? Then we may expect to be under the proconsulate of Arthur O'Connor, "shorn, and to the quick indeed." But he goes farther; he calls upon you to destroy the palladium of our liberties; he demands that we shall regulate it in a manner unknown in this country. Talleyrand, the regulator of the affairs of Europe, tells us we shall do so; and Buonaparté, the regulator-general of the universe, demands Malta for himself. What sort of conduct is this from one independent country to another? I have now to apologize to the House for trespassing so long on its patience; but I hope I shall be excused, on an occasion of this kind, for indulging a little in English feeling and English sentiments, arising from a wish to preserve our constitution, our liberty, and our rights.

Lord MELVILLE rose to give his hearty concurrence to the address which had been moved by the Noble Lord; and in pledging himself to support his Majesty in the maintenance of the just rights and interests of the country, he begged leave to explain, in a few words, the sentiments he entertained upon this important subject. In alluding to what had been said respecting Malta, he observed, that the question was now freed from much of the difficulty and perplexity in which it had been involved. He rejoiced most heartily that nobody could stand up to deny that the 10th article of the treaty of Amiens was totally incapable of being carried into execution. He congratulated the House, he congratulated the country, that it was so incapable of being executed; nay, he thought it matter of congratulation that the French, by their obstinacy, had prevented any new and adequate arrangement for the independence of Malta from being substituted in the room of that which circumstances had so completely rendered impracticable. What indeed would have been the situation of Malta with all its guarantees? Was the guarantee of Spain, of Prussia, of France, to be relied upon? It would not be pretended that such securities were of any avail. The only guarantee of importance, and which could have any efficacy, was that of Russia, in conjunction with Great Britain. He spoke of the importance of Russia in such an arrangement with the greatest satisfaction, for he considered it mutually for the interest of the two countries to cherish the strictest union and alliance. Nevertheless he was happy that the guarantee of Russia was not to be attached to an arrangement in every way so inadequate to the object it had in view. It was in fact most advantageous for Russia that Malta should be under the protection of Great Britain. It was Great Britain alone which, by its naval superiority, by its capacity to avail itself of the harbours and naval station of Malta, was calculated to be the custodier of Malta. Every other plan for its protection and its independence was futile and inadequate. Now indeed he was at liberty to contemplate the possibility of realizing an object of so much importance as the settlement of Malta under British protection. Well did he remember the melancholy moments he had passed, when, after reading the definitive treaty, he found Malta exposed to so much danger of falling into the hands of a power that would employ it for our destruction. The importance of that island had long appeared to him to be very great, and Europe had in the most decisive instances witnessed it. By means of Malta it was that the French had attacked and made themselves masters of Egypt. By Malta it was that we had been enabled to recover that possession. If Malta remained in our hands, it was impossible that all the efforts of France, that all the armaments she could send forth, could obtain possession of Egypt, while we, with a superior navy, had the opportunity of availing ourselves of the harbours of Malta. Malta, therefore, was to be considered as of infinite importance to the strengthening and security of our empire in India. He considered it as a great tower erected in the Mediterranean, on which the flag of Great Britain, displayed and floating, would hold forth an invitation to the people of the Mediterranean, of the Adriatic, and of the Levant seas, to rally round it, and to avail themselves of the protection of this country. It therefore was subject of congratulation, that, without any charge upon our good faith, an opportunity had occurred in which the 10th article of the treaty of Amiens could not be executed. As we were now going to war, and as Malta formed one of the main objects of the war, he wished that its value should be fully understood, and that we should likewise keep in view the necessity of availing ourselves of its advantages to the utmost. He hoped to hear no more of the Order being restored; or of the independence of the island being in any manner guarantied. While Great Britain was able to keep a superior fleet in the harbours of Malta, in the protection of Great Britain it would be secure. It was evident how great interests depended upon the retention of Malta; were we then to give up that possession which was so essential to those interests? If, then, we were going to war for Malta, it was an object to animate the courage and reward the achievements of our fleets and armies. We should go to war,

therefore, upon this ground as a broad question both of right and of general policy. In this view it was matter of congratulation that Malta was to be considered as a British object. We had now got rid of any consideration of the knights of St. John. What was the situa- of those knights when we obtained possession of the island? They had degraded and overthrown their Order by an act of perfidy; nor could they be restored without the severest injury to the people of the island. The Order had become odious to the Maltese by the act of treachery by which they had put them under the government of France, and it was doubtful whether the Maltese would not have deemed themselves less unfortunate in being transferred to France than being again placed under the command of an Order which they had so much reason to hate and to distrust. Besides, it was to be considered that we went to the aid of the Maltese, previously engaged in the reduction of the French; and it was greatly against the wishes of the people that the Order was to be reinstated upon any terms. We ought therefore to secure to the Maltese a wise and suitable form of civil government, to be enjoyed by them under the protection of the British power. This object ought to be prosecuted and settled without any delay, so that whenever any new negotiation should be set on foot, we might be enabled to say that the people of Malta, under a form of government agreeable to their wishes, were now established under the protection of Great Britain. He wished it to be understood that he considered the retention of Malta for ever to be a most essential object, and one to which, in the relative circumstances of France and this country, we were fully entitled to prosecute by war. In voting for the address we therefore voted our concurrence in the war, of which that was the principal object. The attainment of it would be of the utmost benefit to all the states of the Levant, and under our protection alone Malta could be rendered independent and happy.

The Duke of RICHMOND said, that he considered the demands made by Ministers in the *ultimatum* which closed the negotiation as not adequate motives for going to war; and that he did not consider the possession of Malta for ten years, or the island of Lampedosa, as sufficient grounds for war.

The Marquis of LANSDOWNE said, that he was to consider the grounds of war stated in the Declaration which had been published as the real grounds of war, and was not to draw in any rumours to swell out the case. With respect to Holland, it was known at the time when the treaty of Amiens was concluded, that Holland was entirely in the power of France. Switzerland, though an interesting part of Europe, lay too remote to be greatly assisted by the friendship of Great Britain. It was an object which more properly belonged to the House of Austria. Parma and Placentia were likewise objects remote from us, and not fully within the sphere of our political influence. Russia, it was said, had espoused the cause of the King of Sardinia. Was not Russia a power able to support his rights with effect? The maintenance of his interests, therefore, did not immediately call for our interposition. The Report of Sebastiani was stated among the causes of the war. It certainly was true that this publication contained much that was offensive in the manner, but surely there was nothing new in the nature of such a Report. Had it not been usual for every country to send persons to inquire into the situation of other countries with which they were connected? Had not France sent persons of that description to this country, and we, on the other hand, similar persons to France? As to views of ambition, it might be true that the First Consul was ambitious. But who in such a situation would not be actuated by views of ambition? Was it to be expected that, in the situation of France and of Europe, all views of ambition should be extinguished in the breast of the First Consul? He was far from approving the whole of that person's character. No honest man, he believed, could approve of his conduct. Yet it was not because the First Consul had developed views of ambition that we ought to conclude that he intended to go to war with us. Our business however was, not to allow ourselves to be hurried away by disapprobation of the First Consul's measures, or by an exaggerated alarm at his ambition, but to follow a steady course of national policy. Malta certainly was an object of importance; but he doubted whether it was of that immense importance attached to it by Lord Melville. About five years ago, he understood that an offer was made by the Grand Master of the Order, to this country, on certain conditions; but it was not thought advisable by the cabinet to accept the offer. But granting it to be of value, was it necessary to go to war for it, when, perhaps, by skilful negotiation we might have obtained it? His Lordship concluded with some other observations which we did not hear.

The Duke of NORFOLK remarked, that it had been stated as subject of congratulation, that we had made a treaty which could not and ought not to be fulfilled. This, however, was to expose the national faith, which bound us to fulfil contracts, though it might be discovered that we might have made a better bargain. In his Grace's opinion, if the 10th article of the treaty of Amiens could have been put under the guarantee of the powers mentioned in it, particularly Russia, we should have had as much security for the peace as the circumstances of Europe would permit. He still hoped that

some means might be discovered for maintaining peace, and he thought that if any opportunity should offer, it ought to be embraced. At the same time, if we are to go to war, he was confident that every Englishman would join heart and hand in repelling the attack of a foreign enemy attempting to invade the country. The address did not entirely meet his ideas; he wished that it should state that the House would see with satisfaction his Majesty avail himself of any opening, either by negotiation or mediation, calculated to avoid the necessity of war.

Lord MELVILLE was anxious to explain that he did not state that it would have been proper not to execute the 10th article of the treaty of Amiens; it could have been executed, but he thought that since circumstances in which this country had no concern had rendered its execution impossible, a new negotiation suitable to the change of circumstances was to be entered upon, and therefore he considered the country justified in retaining Malta.

Lord KING said, that though the situation of Europe, and the power of France, were such as to be alarming to this country, he did not see that the present moment was favourable for attempting to redress what was wrong. Single-handed, we never could make any great impression on France; nor could the capture of her colonies seriously reduce her power. France was not made up of various, separate, and detached settlements. Nor did her resources depend so much on distant colonies, or foreign commerce. France was a great territorial and military power, and therefore not to be materially repressed by a power of a different description, like that of England. His Lordship, therefore, greatly doubted the prudence of going to war at this juncture without an immediate and pressing necessity. He considered the war now entered upon as a war for correcting the errors of the treaty of Amiens. Malta was an important object, but he did not think it worth being purchased at the expense of a war. He therefore wished that all means for effecting peace might not be abandoned. For this purpose he proposed an amendment, the object of which was to leave out the greater part of the address, and to substitute some new paragraphs, the purport of which was, that the House would see with satisfaction that his Majesty should listen to any farther offer of amicable settlement, consistent with the honour and interests of the country.

Lord ELLENBOROUGH said, it had been asked, where were the causes that justified our going to war? He would answer, that if we had not at present adequate justification of war, he knew not what insults, provocations, or dangers could justify Christian men in appealing to the laws of self-defence. What was the object of the war? He would say broadly that it was a war to redress all our wrongs and to repel all our dangers. It was not a war merely for Lampedosa, as a Noble Duke (Richmond) had said, though, as the Noble Duke might have looked to that object as a fruitful subject of future fortification, he ought not to have held it so despicable. We were going to war not for such inferior considerations, but the greatest stake of civil society—for every thing which an independent nation could prize—for the right of legislating for ourselves, which the enemy had proposed to submit to the standard of their arbitrary principles. He trusted, however, that such valuable privileges we should never abandon to the dictates of any sovereign, whether lawful or usurping, or to any mass of men however formidable in power. His Lordship alluded with the highest praise to the note of Lord Hawkesbury, in answer to M. Otto's note, and said, that it entitled Ministers to the thanks and gratitude of the country. It was necessary to consider, whether the war was just; for unless that was sound, all the rest was hollow. But he contended, that for Malta alone, independent of other circumstances, we had a just ground for war. The 10th article of the treaty could not be carried into execution. The Order was degraded by the confiscation of their revenues; the guarantees were withheld, so that it could not be executed. By every principle both of the law of nations and of common law, it was necessary to execute the contract as nearly in the spirit and sense, if not in the form intended. But it was necessary too that time and conference should be employed to that end. Upon taking up the treaty on the ground of its being impracticable, France could not with justice demand the evacuation of Malta, since nothing has continued in the same state as when the former arrangement was concluded. It had been said, with some ridicule, that the nomination of the new Grand Master of Malta was left to the Pope. But was not the nomination of the Pope, from a list presented by the cabinet of Russia, as likely to be satisfactory as the choice of the priories, such as they are now constituted? and besides, that arrangement was agreed to before the hostile and ambitious views of the First Consul were developed. But since it had been shewn that Malta was of the utmost importance to the preservation of the interests of this country, could it be expected that Malta should be given up after Sebastiani's Report furnished us with such decisive information of his intentions? In his conversation with Lord Whitworth, on the 9th of February, the First Consul informed us that he had 25,000 men which might have been sent to Egypt, and the hint gave sufficient warning that some other of the 500,000 men he boasted to have in arms might be converted to that purpose. Besides, the aggrandizement of France since the peace entitled us to new re-

curities and compensation. By the law of nature and nations even an aggrandizement, by succession or otherwise, might have been ground of jealousy and suspicion; but when that aggrandizement had been obtained by violence and injustice, it could no longer be doubted that we were entitled to make new demands. His Lordship then alluded to the seizure of British vessels on the most frivolous pretences. He likewise dwelt upon the conduct of France to Switzerland. He denied that the proposal of accepting Lampedosa in sovereignty, and Malta for ten years, was one that was to be rated by the mere value of these objects. The object gained would have been security that the danger which the ambition of France threatened would be guarded against for ten years; that Europe would have obtained a breathing-time; that means might have been devised for fresh securities. It was great objects like these, and not merely possession of a station for ten years, that were required. He was aware of the burdens which the contest would involve, and nobody regretted them more than he did; but he knew also the resources of the country to be equal to any necessity. If we had not the chivalry and gallantry of Cressy, Poictiers, and Agincourt, we had to oppose to the enemy the heroes of Aboukir, of the Nile, of St. Jean d'Acre, of St. Vincent, of Camperdown. Similar heroism and similar achievements, he trusted, would signalize the present contest; and with such resources ought we to submit to insults? To the energies of the people, Parliament, he trusted, would supply wisdom, counsel, and unanimous resolution to withstand the common enemy, without being influenced by any low considerations of party.

Earl MOIRA acknowledged the justice of the picture which some Noble Lords had drawn of all the calamities attendant on a state of war. It was like the pestilential blast of the desert, which withered every thing before it. He also agreed with the sentiments of the Noble Lord who proposed the amendment, that their Lordships had not merely to decide upon their own feelings and interests, but how far the feelings of the people of the country were congenial, and how far their interests were to be affected. However, though he coincided in this position, and sincerely approved the motives which generally actuated the conduct of that Noble Lord, yet he could not help regretting that any amendment should have been proposed which could tend to produce the least diversity of sentiment upon an occasion when unanimity was so very desirable, and might be productive of the last consequence to the fate of the country. Passing from this amendment, which the Noble Lord expressed his hope would not be pressed, he took notice of the manner in which a Noble and Learned Judge had treated the complaints of the French government with respect to the publications in this country, referring to its administration; and upon this point he was ready to admit the candour of the Noble Secretary of State as to the offensive tendency of the general tenour of those publications—for offensive many of them certainly were. Among those, however, he did not mean so much to dwell upon the sentiments of the English newspapers, as upon those which appeared in French newspapers published in London, particularly the *Courier de Londres*, a paper understood to be in a great degree under the peculiar patronage of his Majesty's Ministers. If so, the French government had very just reason to complain. It was reviled in the grossest terms of abuse in this publication; and why, he would ask, should a paper which could not be employed for any purpose of amusing or informing the people of this country, be suffered to pursue that system of conduct which must operate to disturb the amity subsisting between the two governments, more particularly when Government had power, under the alien act, to send the editor out of the country, if it chose to discountenance such proceedings? Their declining to do so was not less a justification of the remonstrances of the French government upon this subject than a ground of suspicion to this country as to the disposition of his Majesty's Ministers. Those observations he thought a sufficient reply to the arguments advanced by the Learned Judge on the Ministerial Bench. With respect to the very animated observations of an illustrious Personage who spoke early in the debate, they had his heart-felt approbation; he perfectly agreed with his Royal Highness, that we were not in that state in which we were to consider merely the justice or inexpediency of the war, but whether this country should continue to enjoy that independence which belonged to her, or whether she should submit to the absolute dictation of a French ambassador. But he could not accede to the proposition of a Noble Viscount, that Malta alone would have been a rational ground for war, because, if that island had been completely ceded to us, it would have afforded a degree of security infinitely short of what we had a right to expect, and what it became necessary for us now to seek. The objects for which we had to contend were of a wider and more important nature. Our jealousy and alarm was excited by that incorrigible spirit of encroachment and ambition which not only the First Consul, but in fact all the persons connected with the government of France, had for some time manifested; and even if Malta were actually in our hands in perpetuity, we should not sit down contented until some further security should be obtained. Of this the nation ought to be aware. If the list of injuries and manifestations of design contained in the papers on the table, were to be attended to, certainly Malta afforded but one means of our safety. It would, to be sure, contribute to

the protection of Egypt, and, through that, of our Indian empire; but was that the only point in which we were vulnerable? Were not the states of Holland, Piedmont, and Switzerland, just subjects of our solicitude? It was well observed, that the power of France was the more formidable, because it was condensed: but it was not therefore to be concluded that that connexion was not to be broken, and the idea was not to be entertained that that power was not to be overcome. It was not less absurd than impolitic to propagate such an opinion. The fact was, that from the present state of this country there was no option; either the attempt to reduce that power must be made, or the nation must fall down to the most abject and degrading submission. The main object of the war, if it be either popular or politic, must be to restrain the arrogance, to reduce the preponderance of the French government; and until that object be attained the war should not be abandoned; until France shall not be capable of endangering our existence, whatever may be the disposition of her government to injure us. Such ought to be the object of the war, and so it ought to be defined to the country. In such a cause he was confident there was not a man in the British empire who thought justly and felt like an Englishman who would not devote his best exertions. The people should be told that the possession of Malta would not be sufficient to satisfy the views of Government; that much more was sought for—the material point was to diminish the continental power of France, where he contended she was vulnerable; for, whatever Noble Lords might say of her extent, he would beg the House to consider the nature of the strange combination of particles which formed that extent, and it would cease to be thought an object of such terrific magnitude. It was, in fact, quite competent to Great Britain, with the resources, population, and spirit she possessed, to bring this overgrown authority within reasonable bounds; but it must be done by vigorous efforts, by a short and decisive war, not by petty attempts with respect to Malta, or any comparatively inferior object, or by any colonial expeditions, calculated to cramp the energy and waste the strength of the country, but by a bold and extensive exertion. If this plan were not pursued, he was sure that the means of war would be exhausted, without producing any of the advantages we had a right to look for; and therefore if it were not determined on, it would be better that the country should at once submit. However much he deprecated the thought of unmanly submission, he would say, that unless the contest were commenced with resolution and followed up with dignified intrepidity and promptitude, the country would meet its fate, and it would then be stated with justice that the pusillanimous would have no right to complain of adverse fortune, and no claim to pity in their humiliation. He exhorted Ministers to study the best means of rendering the war of the nature he described. Let it not be a protracted, balanced war. They had for the last year a deficiency of four millions in what they called a peace establishment; and if to that deficit was to be added the expense to be incurred in the future establishment of Malta, if annexed to this country, he would say that it was utterly impossible the country could go on with such a deficit. A vigorous war that should terminate the state which subjected the country to such an increased expenditure would be much preferable; for such a course must tend to ruin. This was the sentiment of an illustrious Personage who had spoken in the course of the debate, and who had delivered his opinions in such a strain as must have considerable influence on the feelings of the country. That effect, so desirable in the present crisis, a person of still higher rank would have contributed his sentiments to produce (we understood the Noble Lord to allude to the Prince of Wales), if a peculiar delicacy had not restrained his Royal Highness from interfering, lest his interference should have had any undue influence on the minds of their Lordships upon a subject in which the most unbiassed and deliberate consideration was so material. Recurring to the hostile disposition of the French government towards this country, the Noble Lord remarked, that before any papers at present on the table had ever appeared, his mind was impressed with the fullest conviction upon that point. Even before the treaty of Amiens was signed he was of that opinion, and therefore in the course of the discussions respecting it, he declined to give any opinion concerning it, because, however little he expected that it would tend to produce the actual blessings of peace, he could not permit himself to offer any thing to damp the satisfaction which prevailed among the people on the conclusion of that treaty. It however appeared to him not only the day Ministers executed the treaty, but before and immediatly after. Into this question he would not now enter, particularly as he understood that the penetration and conduct of Ministers, in this and other instances, was to be made the subject of consideration on a future day. The Noble Lord again urged the necessity of endeavouring to render the war of short duration, and this was not possible, unless the minds and the resources of the nation were vigorously and judiciously exerted—unless an appeal were made to the souls of the people. Whatever might be the difference of opinion as to the system of his Majesty's Ministers, it must naturally be the ardent wish of every Noble Lord that Britons should rise triumphant from the contest. The House would recollect that the resources of the country were amply adequate to every purpose, if applied with judgment. It would also be recollected, that though the power of our enemy was immense

in point of size, it was composed of very discordant parts. If the country was to be engaged in war, it ought to receive a confident assurance that it did not go into it merely for colonial purposes, for petty contests, but for great national interests. Such ought to be the general feeling; and the House should bear in mind this important fact, that, if the present war be misconducted, one consolation only will remain, that we shall never have another war to conduct.

Earl SPENCER dwelt upon the long forbearance which this country had shewn towards the French government, or rather which Ministers had endured; but this allusion, he felt, would lead him into a discussion of the conduct of Ministers, which he wished to keep entirely separate from the subject now immediately before the House. With respect to Malta, he begged to call to the recollection of the House, that he always maintained the article in the treaty of Amiens which related to that island, was utterly impracticable; and it could not be denied that many new circumstances had occurred since the signing of that treaty, which formed grounds to justify the demands Ministers had made for a new arrangement. Of the whole of these circumstances it was easy to have been aware at the time the treaty was signed.

Lord ROSSLYN took a view of the causes and objects of the war. He agreed with his Noble Friend (Lord Melville) that Malta alone was a sufficient, adequate, and broad cause of war; but that to repel the extravagant pretensions of France in other respects, as exposed in the papers on the table, formed a mass of causes, independently of Malta. If a spirit of aggrandizement unparalleled at any other period of even French history; if an attempt to interfere in the internal government of this country; if menaces of the most insulting and haughty kind, could be considered as justifiable grounds of war, the French government had given this country ample provocation indeed. With respect to the attempt to interfere in our internal police, he could not help observing on that singularly impudent assertion, that it was contrary to the law of nations to tolerate the liberty of the press in this country: and upon the subject of menaces he would only request their Lordships to consider that part of the papers on the table which referred to the conversation which took place between the First Consul and Lord Whitworth—conversations which were altogether so different from the established custom in diplomatic affairs, and in which the demeanour of the First Consul was so contrary to the habits which prevail in polished life, that the behaviour of the Pacha of Acre towards Sebastiani was more marked by urbanity of manners than that of Buonaparté to Lord Whitworth.

Lord GRENVILLE said, that, notwithstanding all the circumstances, he rose upon this occasion with great satisfaction, arising from this reflection, that their Lordships, after nearly twelve months suspension of their deliberative councils, were called upon to give their advice to his Majesty upon a subject of the last importance to the vital interests of the state. They were called on to express their opinions upon a body of facts, which, however, they were not this night to discuss, though it was closely connected with that which these facts had tended to produce, namely, the Declaration of his Majesty, to which the Address before the House was the answer: an address drawn up in terms with which he heartily concurred, because they were congenial with those sentiments of national honour and personal pride, which formed the best securities to the country. Of all the remarks made in approbation of those sentiments, recommendatory of spirit and unanimity, he heartily approved, not because they were the same as those he had on all occasions advanced, but because, under the present circumstances, they were the main pillars of our national safety. He did not wish it to be inferred, that because he applauded those sentiments, he was therefore an advocate for war, as he had been most falsely represented. No man felt more strongly than he did the calamities which must attend a state of war, and the activity which ought of course to be employed to preserve mankind from such an evil; but the best way of warding it off was not by feeling, or appearing to feel, too much afraid of it; for that perhaps may serve only to postpone the danger, and when it again approaches, its advances might become irresistible and its evils aggravated. It was in order, therefore, to guard against such a war that he had continued for some time back to recommend a line of policy to Ministers which he was convinced would have been much more effectual towards avoiding war than the course they had pursued. He condemned their system, and he had before stated distinctly the reasons of his opinion—it was grounded upon a series of transactions into which he would not now enter, for he was not disposed to confound it with the question now before the House, which related solely to the principle of the contest between this country and the enemy. This was the question, which was not only paramount to all others, but in fact the only one now properly before the House. It was this; that Great Britain should be superior to France, he meant in this contest—a contest which, from the documents on the table, was evidently just, because it was necessary, and necessary, because it was just. It was, in fact, founded upon those principles, which must render it popular in this country, and an object of general interest throughout Europe. In considering the subject which his Majesty's Declaration involved, two questions arose: the

one which naturally claimed the precedence, related to the policy of concurring with his Majesty to maintain the honour of his crown, and the interests of his people, upon which he trusted there could not be a dissentient voice; the other, as to the conduct of Ministers since the termination of the last war. The latter point he would exclude from the question before the House, as it was meant to make the subject of consideration at a future day. In offering his Majesty the solemn assurance of his support, he was not induced to do so in order to rectify the errors of the treaty of Amiens, or to sustain any deviation from it. For it was his wish that that treaty should be adhered to strictly—the public faith stood pledged for it: but it seemed impossible to conform to that treaty. Indeed, when he submitted his opinions to the House on the conclusion of that treaty, he stated that impossibility, and among the losses which the country would suffer from it, he foresaw that the public faith and national honour would be injured. The tenth article, with respect to Malta, was evidently impracticable: but it is now stated that it would have been practicable if new circumstances had not arisen.—What were they, he would ask, which did not actually exist, or were not on the brink of existing, at the time the treaty was signed? Yet he never did say that those errors would be a fair ground for war; he strongly recommended that they should be removed, not by war, but by amicable negotiation. A Noble Earl on the floor had said, that as Malta was so valuable, a proposition ought to be made to the French government to give in exchange for Malta the islands of Guernsey and Jersey. This was an idea not at all to be endured; and he would be sorry that it should go forth to the public from their Lordships without being marked by the strongest reprobation. What! would the Noble Earl, who professed himself an advocate for liberty, recommend to have so many thousands of British subjects transferred to the most severe and degrading slavery which at present exists in Europe? Was that the kind of protection he would grant in return for allegiance? The act itself was beyond the power of the House to attempt, because their Lordships were incapable of injustice, and it was an act which could not be even meditated without the grossest injustice. Returning to the question before the House, he observed that a Noble Lord had said that the contest we had commenced was for all our honours, and he would tell the House that it was for all our rights and interests. It was a war of necessity, justice, and expediency; it was in resistance to a sense of aggression, violence, and insult, that could not be endured without sinking the country to the lowest state of degradation; and he was happy to see such a spirit revived in that House and the country as would enable us to meet a war with dignity, from which we could not recede without meanness—a war which was not a matter of choice on our part, but of necessity. From the particular situation of this country at present, and from the general circumstances of Europe, it is impossible that Great Britain can exist in degradation. She has now only the option between two evils—war, vigorous and determined war, or farther temporising; and from the moment she should resolve on the latter, the whole frame of her existence would begin to fall into pieces; her resources would decline, her commerce would be annihilated, her importance would disappear, because her freedom and national pride would be no more: her people, indeed, might remain, but so completely changed from circumstances, that not a trait of the British character would exist. Such would be the consequence of submitting to the ill treatment described in the papers on the table. It was unnecessary to eke out any arguments to prove a case of aggression; the facts were quite glaring.—There were acts and proofs enough to urge the House and the country to prepare for determined, effective, energetic war. Whatever inconveniences they may endure, whatever burdens they may incur, it is better to begin the contest now, than wait until we should be obliged to engage in it, with perhaps diminished means, and against increased forces. Of such delay he would disapprove, because the ground of expectation of any security from concession was, he was fully persuaded, not only absurd, but dangerous. Without touching on the many points in justification of his Majesty's Declaration, which had been so ably illustrsted by other Noble Lords, he would say that the French government had given such direct evidence of an intention to violate the treaty of Amiens, that even on the grounds of prevention war was justifiable, and that was ground uniformly sustained by the best writers on the law of nations. The designs of Buonaparté on the Turkish empire were too notorious to be denied, though he had in the treaty of Amiens guarantied the integrity of that empire. Yet it is stated in his Majesty's Declaration, that the French government had actually proposed to other governments the partition of the Turkish territories, and her share would no doubt comprehend Egypt. Without taking Sebastiani's Report at all into account, though certainly it is a paper of that nature, which, if found in a vessel almost without any seal of authenticity upon it, the British government could not consistently overlook it; the circumstance alluded to in the Declaration is quite sufficient to warrant the inference, that the First Consul meditated a breach of the treaty of Amiens. This statement in his Majesty's Declaration, the truth of which no one could doubt, without any reference to the language of a heated, intemperate, passionate man, sufficiently manifested the designs of the French government. Under all those circumstances, he was perfectly convinced that peace or war

was not a matter of choice, and he would suggest to the Noble Lord who proposed the amendment (who introduced it with the same ability and eloquence that he does every proposition he submits to the House), that, as temporising has already produced no other effect than to torture the people of this country by suspense, and embolden the pretensions of the First Consul, it would hardly be advisable to make any farther experiments in that way. In pursuance of that system, his Majesty's Ministers had given up the Cape of Good Hope, and Martinique; and, if still more were to be given up, the country would be convinced, notwithstanding, that protection was not to be obtained by such means, against any project that France might have in contemplation against our Indian empire, or elsewhere. The man who now governed France was not to be conciliated into the practice of justice by the appearance of submission. Being convinced that war alone was the remedy left for the country, he would strongly exhort to every possible exertion; and deeply convinced as he was of the necessity of this war, to preserve our liberty and laws, he thought that no expectation should be held out that it would be short. The people should be told to look their danger full in the face; they should understand that it must be an awful and serious contest, calling for unusual and unheard-of exertions; that they should put their shoulders to the machine with heart and spirit, without any very sanguine calculation upon chances or very favourable events; and that if they will not do so, they must submit; that such submission will obtain them but a temporary relief, while it must incur the contempt of mankind, and lead to their own ruin. You must be aware, added the Noble Lord, and the people should be fully apprized of it, that the contest in which we are now engaged is not of a light or trifling kind, to be met by light or trifling means—not to be encountered by hacknied, ordinary, or common-place exertions, but by a spirit exalted and equal to the magnitude of the occasion. You must be sensible that the vital interests of the country are at stake; and that in order to preserve them, you must expose yourselves to danger; you must be reconciled to heavy burdens, and if you will not submit to such sacrifices, the consequence will be the sacrifice of your country and of yourselves.

Lord GWYDIR remarked that we were now actually at war; and in his opinion it appeared absurd to deliberate a moment with any idea of negotiation. As soon as an ultimatum had been delivered to the French government, and they had given a refusal to that particular point, war was to be considered as not only inevitable, but nearly the same as if hostilities had been actually commenced. From the recall of our Ambassador, it was evident that the ultimatum of our Government had not been agreed to. It was, therefore, to be considered as an aggression when the French gave such a refusal, and which was only to be remedied by spirited and unanimous resistance. He rejoiced at the war, because it put an end to the treaty of Amiens, but still more because it prevented the adoption of Lord Hawkesbury's ultimatum. His Lordship concluded by voting for the address.

HOUSE OF COMMONS.

Monday, May 23.—(See Minutes, p. 816.)

[ADDRESS TO THE KING.] Mr. PITT began by observing upon some passages of Mr. Erskine's speech, the tendency of which he professed not entirely to understand, but from which he was led to hope that the Learned Gentleman, and those with whom he usually acted, were not likely materially to object to the substance of the proposed address. He flattered himself that this was likely to be the case, because, whatever difference of sentiment might arise, and much was certainly to be expected, on many points included in the great mass of information contained in the papers upon the table, yet upon the great and important question at issue between this country and France, and upon the justice and necessity of the grounds on which we were compelled to enter into the war, he thought it almost impossible that the House should not be unanimous. He stated, that in those transactions which had most immediately produced our present situation, the Learned Gent. himself appeared, notwithstanding some doubts which he had thrown out on particular points, to admit, upon the whole, that there was such clear evidence of views of aggression and hostility on the part of France, as justified this country in retaining Malta for its own security. This he maintained to be the first great point on which the question turned; and he contended that the whole of Sebastiani's Report, and the circumstances of his mission to Egypt, the express and deliberate avowal by Buonaparte himself of his views and intentions in a formal conference with Lord Whitworth, and the information of the same intentions through the official channel of the Minister for Foreign Affairs, afforded the clearest and most indisputable evidence that the First Consul had formed the determination, even while Malta was yet in our hands, of resuming his hostile projects against Egypt; that the pursuit of such a project was an undeniable act of hostility against this country, and aimed at some of its most important interests; that it was, besides, a direct violation both of the letter and spirit of the treaty of Amiens itself, under pretence of which treaty alone our evacuation of that island was demanded, though under circumstances which, in other respects, according to the letter of that treaty, did not authorize such a demand; that the disclosure of this hostile project clearly justified this country in

requiring fresh security against it; and if such security was refused, in having recourse to arms for that purpose, at the moment which appeared to be most for our advantage. He then more particularly commented on each of these several circumstances with respect to the Report of Sebastiani. He stated that that was evidently an official paper addressed to the government, by a person regularly commissioned and employed by the Consul himself; that its contents could never have been published in France but by his consent, and that they were published, in fact, in the official paper, under the direct authority of the government; that the whole tenour of that paper, and the account thus given by Sebastiani himself of his conduct in Egypt, made it impossible to doubt that he was sent there to prepare for the execution of a fresh attempt to put that country under the dominion of France; but that it was not necessary to dwell on the particular contents of the Report; the mere circumstance of a military man having been sent at that time with such a commission to Egypt, was a sufficient evidence of the object of his mission. The time, he remarked, was very material, because it at once destroyed the chief pretext under which the French government had attempted, in the course of the official correspondence, to justify or extenuate the publication, or to deny the conclusion to be drawn from it. This pretext was, that the honour of the Chief Consul had been wounded by a Narrative of the Expedition to Egypt, published by a respectable officer in the British army (Sir Robert Wilson), and that the publication of Sebastiani's Report became necessary for his vindication. The facts stated in that Narrative, he observed, were not even contradicted by the Report, but even if they had been, in what degree would that circumstance account for originally sending Sebastiani to Egypt, with such a commission as had been already stated? It appeared that that officer had actually embarked from Toulon on the 16th of September, and after proceeding to Tripoli, had arrived at Alexandria on the 16th of October; whereas it is notorious, that, at that time, Sir Robert Wilson's Narrative had not actually been published, and probably not sent to the press. With respect to the avowal of his design by the First Consul himself, he referred to Lord Whitworth's account in his dispatch of the 21st of February. He observed, that, so far from the conversation appearing, as some persons had imagined, only loose and desultory, it was one which took place by the express appointment of the First Consul—that it was therefore evidently prepared and deliberate, and that it was actually opened by the First Consul himself, as being the mode which he had adopted for the purpose of "conveying to his Majesty, in the most clear and authentic manner, his sentiments on points which must be brought to an issue." In the course of this conversation, the First Consul did not attempt to disguise his ultimate views upon Egypt; and though he professed to disclaim any intention of seizing it at present, he assigned as the reason for his forbearance, "that sooner or later it would belong to France, either by the falling to pieces of the Turkish empire, or by some arrangement with the Porte." In a subsequent conversation with M. Talleyrand, it was expressly admitted that the acquisition of Egypt had been, and still was, a favourite object of the First Consul, but he at the same time endeavoured to convince his Majesty's Ambassador, that it was not so great an object as to allow him to go to war for its attainment; and yet, upon being pressed to explain what security it was intended to give, to remove apprehension on this point, for which he had before stated there was a project in contemplation, he referred only to a passage in the First Consul's message to the Legislative Body, saying that "There is a French Ambassador at Constantinople, who is charged to give every assurance of the disposition of France to strengthen instead of to weaken the Turkish government." To all the evidence founded on these several documents, he had heard but one argument opposed—the improbability of the French government thus disclosing its views, if it really entertained them. On this point it might be sufficient to observe, that it might indeed be difficult to account for such a disclosure, even on the supposition of such a project being really intended; but that it was not only difficult, but impossible, to account for it at all, on the supposition of its not being intended. He asked, whether, on the latter supposition, any motive could be assigned, either for the mission having been sent, or the Report having been made and published, or for the avowals contained in the conversations of the First Consul and M. Talleyrand? He thought, however, that the difficulty of accounting for the disclosure, was removed, by referring to the new and peculiar policy which had marked the conduct of France on many extraordinary occasions, from the very beginning of the revolution; that where any measure was in contemplation more flagrant and atrocious than another, and more likely to shock the general feelings of Europe, and perhaps to excite vigorous and united resistance, instead of carefully concealing it till the moment of execution, it had, on the contrary, been studiously announced beforehand; that the object of this policy had been gradually to familiarize men's minds to that which at first they could scarcely even believe, and that their schemes, which, in the first instance, were received with horror, and would have been opposed with indignation, came afterwards to be contemplated with neglect and indifference; and that which at first no man thought it possible seriously to attempt, was by degrees considered as natural and probable, and, in the end, as that which it was hopeless and impossible to resist. He therefore put it to the House, whether, after having observed

this practice, it was possible for us to be so credulous and childish, as to act on the belief that Buonaparte would abandon the projects he had formed, only because he had himself told us he would persist in them; and whether we thought that if, for whatever reason, he had been led prematurely to disclose this project, even while Malta, the great security against its execution, was still in our possession, he would renounce the attempt when that security had been surrendered by us, and put, in fact, into his possession? If then the design against Egypt was apparent, he desired the House to consider whether, upon every principle of justice and self-defence, admitted by all the systems of the law of nations, and adopted by the practice of all countries, we have not the clear right to take, from this moment, such measures of prevention and security as are sufficient to guard against the danger to which we should be in consequence exposed—whether it was not admitted, on almost all hands, that our possession of Malta was essential, or at least in the highest degree material, for the defence of Egypt—whether the importance of Egypt to this country was not in itself sufficiently evident, from its connexion with the safety of our Indian possessions, and whether it might not at this day be considered as a point to our national policy, already decided and attested by the glorious efforts which had been made, and the heroic blood which had been shed in the last war for recovering it from France, and which had in a manner consecrated it in the hearts and affections of Englishmen? He therefore wished the House to consider what was to be our future conduct, if, after all the warnings given us, we were now to surrender Malta out of our hands, and the attack upon Egypt were to follow in six or in twelve months afterwards. Were we prepared for the ridiculous, but disastrous alternative to which we should be reduced, of either submitting without a struggle to national calamity and disgrace, because, foreseeing our danger, we had voluntarily and wantonly sacrificed the best means of averting it; or, when it was perhaps too late to enter upon a difficult and almost hopeless contest, having by our own act given up the arms by which we could be enabled to conduct it to a successful issue? If the question were closed here, Mr. Pitt observed, that, for the reasons he had given, he was prepared to maintain, that on these grounds alone the war was both just and necessary, and such as ought to call forth the utmost exertions of Parliament and the nation in its support. But so far was this from being the case, that there was not any one of the leading transactions subsequent to the treaty of Amiens, to which his Majesty's declaration referred, which was not, in his opinion, as far as justice was concerned, a clear and evident cause of war, and such as would have been acted upon, if there were sufficient means of co-operation on the continent, in almost every period of the history of this country. He here referred to the annexation of Piedmont, as the first act by which the French government had proceeded, subsequent to the treaty, to pursue the same system of aggrandizement, which had appeared in all their previous conduct, and which it was vainly hoped they had relinquished. He referred also to the transaction respecting the German indemnities, where the French government, with an arrogance, he believed, unprecedented in the history of Europe, had presumed to dictate to all Germany the detailed mode of arranging those indemnities, on which the Diet of the Empire was expressly convened to deliberate, pursuant to the treaty of Luneville, and had publicly announced their scheme as settled and decided, before it was even communicated to those to whom it ought, in the first instance, to have been proposed. He next passed to the violence offered to Switzerland, on which he thought it the less necessary to dwell, because he believed the conduct of France towards that unfortunate and devoted country had excited one universal sentiment of detestation. He wished here to declare (as this had been a subject so often adverted to on former occasions, when he had been unavoidably absent) that he considered the interference of his Majesty's Ministers on this subject, as not only evidently warranted by the circumstances, but such as it was their duty to employ to the extent to which he understood it to have been carried, in order to give time for learning whether a confederacy could be formed in Europe, really sufficient for saving that country from the yoke of France; but that when upon trial all hopes of such a confederacy vanished, he thought them equally right in not pushing the contest, on the part of this country, to extremities.—He then adverted to the continuance of the French armies in Holland, which appeared from the papers on the table to have been directly inconsistent with the principles on which the treaty of Amiens had been negotiated, and with the engagements which were known to subsist between France and Holland. After dwelling on these points, he stated, however, that he thought it less material to discuss whether they were each in itself sufficient causes of war on the part of this country, because he admitted, that, whatever might be the justice of the case, our conduct upon them at the time was necessarily regulated, not by that consideration only, but by the question of policy which was unavoidably dependant upon the state of the continent: but that whatever it might be right to decide upon them at the time they occurred, it was impossible to contend that they were not now material, as symptoms of that deliberate system of ambition and encroachment which had been thus uniformly pursued towards others, and which was now directed to a quarter where it immediately affected our separate interests, and was in direct violation of the treaty with this country itself. He here drew a strong pic-

ture of the continued and rapid succession of the acts of violence and oppression which during this period had desolated so many of the countries of Europe; and after comparing the irresistible force and overwhelming progress of French ambition to those dreadful convulsions of nature by which provinces and kingdoms were consumed and buried in ruins, he asked whether we could contemplate those scenes of havock and destruction without reflecting how soon that torrent of liquid fire might direct its ravages against ourselves? Having here closed his review of what had passed on the continent, he next observed, that the period of which he had been speaking was marked not only by the hostile acts which he had detailed, with respect to other powers in Europe, but by others immediately affecting the separate rights and interests of this country. He referred, he said, principally to two points which appeared in the Correspondence. The first point was the demand which had been made by the French government, respecting the restraints on the liberty of the press, and the expulsion of the French emigrants now remaining in the country. On this it was unnecessary to enlarge, because the insolence of the proposition was sufficiently felt, and because it had been at the time resisted by his Majesty's Ministers, on grounds which were stated with great force and ability in one of the papers on the table, and which, he was persuaded, every Member of the House had read with the highest approbation. The second point related to the commercial agents: the indignity and outrage which attended their mission, was one of which it was difficult to speak with composure. The French government had made a formal proposition to send persons of this description, who had never been found necessary even when a commercial treaty subsisted, at a time when not only there was no such treaty, but when, as appears from the papers on the table, the commercial intercourse of his Majesty's subjects with France was suffering every degree of violence and oppression. This proposition had naturally and wisely been refused. The French government then proceeded clandestinely to send these agents in the train of their Ambassador; and not content with this breach of the law of nations, they afterwards addressed to them instructions, under the official character in which they had received admittance; and the object of these instructions was to direct them to take measures, in time of peace, for ascertaining the soundings of ports, and for obtaining military information of districts; acts for which they would have been hanged as spies in time of war. Under such circumstances, he could not but lament to find that his Majesty's Ministers had contented themselves with merely applying to the French government to withdraw those persons, and had not at once advised his Majesty, by his own authority, to order them to depart the kingdom within twenty-four hours, reserving it to himself afterwards to require from France the reparation due for so gross an insult.—He did not think it necessary to dwell separately on another head of complaint, the violence committed against the vessels and property of his Majesty's subjects in the French ports, and the withholding to this hour all satisfaction for those injuries. These proceedings, he said, would have been sufficient ground of complaint in ordinary times, but they could scarcely give additional force to the outrageous transactions which he had just enumerated, and which appeared to him as if they had been designedly calculated to include, under two distinct heads, the grossest insults that could be offered to the independence of any country. The first pretension of which he had spoken, that of restraining the liberty of the press, was nothing short of claiming the right to dictate to us in a point of municipal law, and to require that we should sacrifice to the caprice of the First Consul a known and important privilege of our constitution, and model at his pleasure the judicial proceedings and internal regulations of the country. The second pretension, that respecting his commercial agents, manifested, as had been already stated, an avowed determination to introduce, in defiance of our formal refusal, authorized emissaries into our arsenals and ports, in order to prepare, in time of peace, the most effectual means for our annoyance and destruction in time of war. This was nothing less than to insist on our surrendering beforehand the right and the means of national defence; and if the former claim had struck at the liberty, this struck as directly at the actual safety of the country. It was true, he believed and hoped, that the commercial agents had at length been withdrawn, upon the representation of his Majesty's Ministers; but, as he had already stated and lamented, it did not appear that any disavowal had been obtained of the principle on which they had been sent. The claim respecting the restraint upon the press, and the expulsion of the emigrants, had also been suspended for a time, in consequence of the unanswerable representations in the dispatch before referred to. But the first part of this claim had since been expressly revived in the course of the late negotiation. At all events, he contended that the circumstance of the First Consul having even suspended it as he did, only afforded a striking lesson of the benefit to be derived from a firm and seasonable resistance: but that the fact of such pretensions having at any time been urged (whether they were persisted in or withdrawn), must be remembered as the strongest proof of the nature of the views which he really entertained, and which he would unquestionably accomplish whenever he found it in his power. He maintained, therefore, that all these indignities and insults, as well as the

encroachments and violences of which he had before been speaking, on the continent, must enter deeply into our consideration, in judging of the character and ultimate views and policy of our enemy. They must decisively confirm us in the resolution to employ, without hesitation, the most vigorous and determined resistance, when, in addition to these proofs of his general disposition, both towards this country and towards Europe, we found him now engaged in that project of direct and separate hostility against ourselves, which had already been argued.—On all these grounds, he felt convinced that there never was an occasion on which it more clearly became the indispensable duty of Parliament to concur with his Majesty in the declaration of the necessity and justice of the war in which we were engaged, and to assure him of their firm and effectual support. But in giving these assurances, he trusted that other Gent. felt impressed with the same sense which he did or the awful importance of the engagement into which they were preparing to enter, and that they considered those assurances not as formal words of ceremony or custom, but as a solemn and deliberate pledge on behalf of themselves and the nation whom they represented—knowing and feeling to their full extent the real difficulties and dangers of their situation, and of the arduous struggle which it compelled them to endure, and being prepared to meet those difficulties and dangers with every exertion and every sacrifice which the unexampled circumstances of the times rendered indispensable for the public safety. For his own part, although he considered the war as a war of necessity, and one which we could not decline without surrendering both our security and our honour, he should enter upon it with little hopes of ultimate success, if these sentiments were not deeply impressed on the minds of Parliament and the people. The scale of our exertions could not be measured by those of former times, or confined within the limits even of the great, and, till then, unexampled efforts of the last war. He was convinced that some system, far more vigorous and effectual than any even then adopted, would be found necessary, both in our finance, and in the preparation for national defence. On the provisions to be made for these two primary and paramount objects, it would principally depend whether we could effectually disconcert the favourite projects, and disappoint the main hopes of the enemy. It was evident, that if they indulged themselves in any expectation of success in the present contest, it was built chiefly on the supposition that they could either break the spirit, and shake the determination of the country, by harassing us with the perpetual apprehension of descent upon our coasts, or that they could impair our resources, and undermine our credit, by the effects of an expensive and protracted contest. To defeat the first of these purposes, it was not, in his judgment, sufficient to make those naval and military preparations, which would prevent any invasion that might be attempted from being ultimately successful (an event which he trusted he was justified, in common with others, in considering as utterly impossible), but to make such vigorous and extensive arrangements for national defence, as might diffuse a sense of the most complete security against even the temporary impression to be produced by such an attempt, and might enable every individual to lay down his head to rest, in the persuasion and confidence that nothing was omitted which could enable us at once to meet and repel the danger at any moment, and in any quarter, in which it might threaten us.—In order to disappoint the second object, that of wearing out our resources, he trusted the House would, from the beginning, form its system of finance, not with a view only to the expense which might be necessary in the first year of the contest, but that they would look at once to the possibility of its being protracted to as long a period as that which was lately terminated; that they would consider fully what, on the probable scale of the war, would be the whole extent of the burdens necessary to be imposed on that supposition. He was persuaded, that it could only be by providing in the outset means adequate to the whole extent of these purposes, that we could, in fact, prevent the ultimate amount of our expenses from being unnecessarily, and perhaps intolerably, augmented; or that we could ensure the best chance either of bringing the contest to a speedy conclusion, by convincing the enemy of our sufficiency to maintain it, or could meet its continued exigencies, if necessary, without the annual recurrence of growing and accumulated embarrassments. He trusted, therefore, that his Majesty's Ministers would, on their part, feel the necessity of bringing both these points under consideration with all practicable promptitude and dispatch, and that, if possible, not even a fortnight might be suffered to elapse without enabling Parliament to adopt such measures as would convince both France and the world that we had from that hour provided the means of supporting the force, and defraying the expenditure which might be necessary for maintaining our internal security, and for the vigorous and effectual prosecution of the war, to any period to which it could reasonably be supposed to extend. He repeated, that he was aware that these measures could not be effected without material and extensive personal sacrifices, and without great additional burdens, which must to a degree affect the ease, convenience, and even comfort of many classes of society—that he lamented these consequences as much as any man, and if he saw any prospect that, by present concession, we could obtain a real and desirable interval of peace, security, and re-

pose, he should be as anxious as any man to avoid the necessity of such arduous and painful exertions; but that, under the present circumstances, a weak and timid policy could perhaps scarcely even postpone the moment when they would become indispensable for our existence, and would infallibly expose us to the certainty, at no distant period, of a similar struggle, with those means given out of our hands which we now possessed, and with the chance diminished, of finally conducting it to a successful issue—that we had not an option at this moment between the blessings of peace and the dangers of war—that from the fatality of the times, and the general state of the world, we must consider our lot as cast by the decrees of Providence, in a time of peril and trouble—that he trusted the temper and courage of the nation would conform itself to the duties of that situation—that we should be prepared collectively and individually to meet it with that resignation and fortitude, and, at the same time, with that active zeal and exertion, which, in proportion to the magnitude of the crisis, might be expected from a brave and free people—and that we should reflect, even in the hour of trial, what abundant reason we have to be grateful to Providence for the distinction we enjoy over most of the countries of Europe, and for all the advantages and blessings which national wisdom and virtue have hitherto protected, and which it now depends on perseverance in the same just and honourable sentiments, still to guard and to preserve.

HOUSE OF COMMONS.

Tuesday, May 24.—(See Minutes, p. 817.)

[WAR WITH FRANCE.]—Mr. T. GRENVILLE said, that when a call like the present, so superior to any other, was made upon the country, he thought that a sufficient motive for confining themselves strictly to the great and pressing duty which was then before them. His Majesty had told the House that the aggressions and insults offered to this country by France, had forced his Majesty to commence hostilities against that power. If any man could bring himself to believe that there was not a just ground for war, then he would take the side he had described. Those, on the contrary, who thought with him that it was their first duty to remove from the question every point which might prevent that unanimity which was so desirable to enable his Majesty to prosecute the contest with that vigour and energy which the occasion required, would put out of their consideration any thing except the important duty which they had to discharge. After complaining so often of the want of information, he ought to be the first to congratulate the House on the full information which they were now in possession of; but the duty he had spoken of was so far transcendant, that he should consider himself as blameable, there being sufficient information to enable them to discuss what were the causes of the war, if he embarrassed the question with the consideration of any other points. The first question for consideration was, whether this country had a right to go to war with France? And the second, whether, having a just cause for war, there was such a want of expediency in pursuing it, that, notwithstanding the justice of the cause, it would not be politic to carry it on? Ever since the treaty of Amiens, there had been one continued system, on the part of France, to vilify and insult the British government and people, a deliberate system of ambition and aggrandizement on the part of the French republic: and when he considered whether there were just grounds of war, his difficulty consisted rather in the abundance from which he was to choose. If he took the first act, that of sending persons here with the appearance of a commercial character, in the character of peace, and claiming the rights of hospitality and protection, whilst their real views had for their object the ascertainment of the means of destroying this country, he thought it was so unprecedented and unparalleled an insult and injury, that it furnished of itself a sufficient cause for war: it was so gross a violation of public faith, that it was certainly a sufficient ground for hostilities. It was unnecessary to go through the whole of the grounds for war: he would not treat upon the annexation of Piedmont, of which country we were the direct guarantees, nor upon the subject of Switzerland. These were amply sufficient grounds for war: but although he would not dwell upon the subjects of the indemnities in the German empire, the annexation of Piedmont, the invasion of Switzerland, or of the Batavian republic, yet all these were such sufficient proofs of the ambition of the French republic, as not less than at other periods to excite a disposition on the part of this country to resist the ambition and aggrandizement of France. It had been doubted how far some of these were just grounds for war; it had been said that they were not, because at the period of signing the treaty of Amiens, French troops were in Holland, Piedmont was really annexed to France, and Switzerland might be considered to be so. Could any man doubt at that period, it had been asked, that Switzerland and Holland must become subject to the power of France, whenever the latter chose to make an effort for that purpose? The great argument used in support of the treaty of Amiens was the tone and temper in which it was made, from which if any thing was to be inferred, it was that a disposition was beginning to arise in France, to act upon the principles adopted by regular governments, and a hope to find in that disposition reasonable grounds for believing that

France would observe the treaties she had made. Now, when there was a general system of ambition and aggrandizement on the part of France, it was said it was no subject of complaint: be it so. But should this country not be prepared to check that ambition? To say that the influence of France was so great in Holland and Switzerland, that therefore it ought not to be resisted, was so strange an argument, that he did not think it necessary to pursue it any further. All these acts were not only altogether, but each of them, a sufficient cause for war, and such as in other times had been acted upon vigorously and successfully. Here he wished to recur to what related to Egypt, in which there was a direct breach of the treaty of Amiens. By that treaty the French republic was solemnly bound to guaranty the integrity of the Turkish dominions, which became an important object to us, not only in itself, but because of the great necessity which existed for it, for the security of our own possessions. In that view he conceived that we demanded security from France against any attempt in that quarter. Egypt was evacuated by our troops, and the evacuation made a sacrifice to peace, whilst we demanded the guarantee as a security for our Eastern possessions. If any man doubted the insincerity of France, after reading the Report of Sebastiani, it would be extremely difficult to prove it: yet the Report was said to be commercial. Vain and idle pretext! on which the purpose of it was attempted to be done away. Was it possible to conceive that it could be a commercial mission? If any man doubted, however, upon the subject, he desired to refer him to higher authority, to Buonaparté himself, who had distinctly described it as a military mission; and to Andreossi, the French Ambassador, who had not attempted to conceal the purpose of the mission under the semblance of commerce, but who distinctly designated it as a military mission. Thus, then, the Report of Sebastiani was confirmed in all its military character. But was that all? Look at the supplementary part of the Report, view Sebastiani travelling in the republic of the Seven Islands: that republic was, however, not confined to Sebastiani's Report; another supplementary account amongst the papers on the table, informed them that the First Consul had granted his protection to the Catholic church of the Seven Islands, and that when the members of that communion prayed to God, they must pray for the First Consul. Thus stood the case with respect to Egypt. If the Report of Sebastiani had merely consisted of an intercepted letter, it might have been said, that it was not a sufficient act of hostility on the part of France towards this country, though he should have contended that it was; but when, in addition to the Report, it was adopted by the First Consul, and by the French Ambassador here, could any reasonable man, he asked, read that, and doubt that there had been in the mind of Buonaparté an hostile view with respect to Egypt, a disposition to act directly contrary to his own guarantee of the integrity of the Turkish empire? This was even not all; but when, in the Declaration of his Majesty, it was stated that the French government had suggested the idea of a partition of the Turkish empire, he must suppose that it related to a regular proposal made by France to a great northern power, for such a partition. With respect to this point, no documents were offered; but if Ministers had not referred to it, they would have done less than their duty; and to have referred to it more distinctly, would have been more than was called for. Before he quitted this subject, he could not help adverting to an expression that had been used, that Buonaparté had a desire to possess himself of Egypt. If it was meant to be said that there was an abstract wish on the part of the Great Consul, possessing half the world, secretly, silently, and piously to add Egypt to his dominions, he could not conceive that such a simple abstract wish could be a cause for war. But putting together facts, would any man assert that it was a fair interpretation of those facts, to say merely that Buonaparté had a desire to possess himself of Egypt? That desire was manifested by acts so manifestly in breach of the treaty which he had signed, that we were justified in saying that it was a hostile breach of faith. Steps had been taken by the First Consul, which clearly indicated the means by which his designs were to be executed. From the moment that any hostile act was committed by France, we were justified in using every means for our own security. The best means by which the First Consul could execute his projects upon Egypt were those which he thought the most necessary to the accomplishment of his desire; they depended upon Malta, and if we had evacuated Malta, we should have been justified, after the Report of Sebastiani, in endeavouring to retake it. Would any man say, that if it was just to retake it, it was not also just to retain it when it was already in our possession? He could not see the least difference between our retaining Malta, if France committed a breach of faith, and our right of possessing ourselves of it again after a breach of the treaty of Amiens, and having previously given it up. In this view of the subject, he would not go into a minute discussion respecting the 10th article of the treaty of Amiens. He would grant, that if the stipulations of the treaty had been fulfilled, and we had then refused to deliver up Malta, a breach of that treaty might have been alleged against us; but no case had ever been made out by France, which gave her a right to demand the evacuation of Malta by us. He really thought that there never was a period in which so many and such invincible grounds of war, on the part of this country, were so clearly

and distinctly made out, as in the moment when he was addressing the House. It might be said, that amply sufficient grounds of war might exist, and yet considerations of expediency might render it doubtful whether Parliament should recommend the prosecution of the war; but were there or not any such grounds of expediency at the present moment? If they were to say that such a war at the present moment would not be a dangerous experiment, and that it would not press heavily, in point of expense, upon every man in the country, they would be deceiving themselves, and disguising the truth. But what had they to consider? He lamented that their voice upon this occasion would only be a choice of great evil. Before, however, they agreed to a change for war, they were to consider what they would lose. Was it peace that they would lose? Would any man say that it was a change from peace to war? It was, on the contrary, a change from a state of unequal truce to a state of equal war. They must look danger courageously in the face, and hope with confidence for a glorious result. Did they sacrifice, by such a change, that which was valuable, or even tolerable? Without entering into the consideration of the conduct of his Majesty's Ministers, he would ask, whether, if the wisest men in the country had been at the head of affairs, it were possible that they would have suffered the last two months of protracted negotiation, during which we experienced not a peace but a truce, in which we disarmed whilst the enemy armed—in which we were called upon to give up our conquests, whilst the enemy was pursuing a system of aggrandizement, and completing their military preparations, to be afterwards carried into effect against this country? Was it to be said, that we were to wait till they had completed all their arrangements? And were we to be taught to wait patiently the event of the attack, and not to take those means which we were called upon by God and man to take for our own security? It might be said, that even at the period of the present discussion, we had gained an advantage of vast moment, since the great and mighty republic of France had thought fit to abandon the important acquisition of Louisiana. He could not conceive that any one would be so childish as to ask, whether that was a fresh indication of a pacific spirit? What was the cause of it? The war. However paradoxical it might seem, he considered that cession as a fresh indication of a hostile mind on the part of France. It was evident, in his opinion, that it was the object of France, in this cession, to do away one enemy more, and to endeavour to prevent an alliance between the United States and this country. It had been said that we were without allies: he did not see any occasion for treating our former continental alliances so lightly as they had been treated. But however we might be without allies, to those countries with whom we might wish to ally ourselves, it would not be unimportant to shew our readiness to repel a danger which was common to all, to shew our disposition courageously to meet the difficulties which presented themselves, and bravely to overcome them. With respect to the amendment, it appeared to him that there was no duty more incumbent upon them, when representing the spirit and sense of the country upon the present occasion, than that they should speak with an unanimous voice. There was no sacrifice which he would not make, consistent with conscience and honour, to obtain that unanimity. If, then, he saw in the amendment no material difference, must he not complain, that, without any essential difference, it should have the effect of weakening that unanimity? Though there was not one word in that amendment that he would not willingly subscribe to, yet he could not but lament that it would have the effect of preventing Parliament from speaking with an unanimous voice. The country was placed in a very arduous situation; but he was confident that the spirit of Englishmen was amply sufficient to encounter successfully the perils which surrounded them, and that there would be found means, and mind, and spirit to meet the contest in which we were engaged. If the country was true to itself, and Parliament was true to the country, there need be no fear for the issue of that contest.

Mr. WHITBREAD said, the Rt. Hon. Gent. had called for unanimity in the discussion of this subject, and he (Mr. Whitbread) also called for unanimity. The Rt. Hon. Gent. had said, that there was nothing he would not sacrifice for the sake of unanimity, except honour and conscience. He put it to the Rt. Hon. Gent. under the gallery (Mr. Pitt), and to the Rt. Hon. Gent. who had just spoken, or to the Hon. Gent. who sat upon the same bench with that Rt. Hon. Gent. whether they could, with a safe conscience, vote a direct approbation of the conduct of his Majesty's Ministers, to which the present address would pledge them? He called upon them to say, whether his Majesty's Ministers had uniformly manifested a desire for the maintenance of peace? whether those Ministers had conducted themselves well, and whether they had not committed the honour of the country? The Rt. Hon. Gent. (Mr. Grenville) had distinctly admitted, that Ministers had committed the honour of the country; and if the Rt. Hon. Gent. could not approve of them, he could not approve of that part of the address which went to the approval of their conduct. Let those, therefore, who called for unanimity, vote for the amendment of his Hon. Friend (Mr. Grey), which went the full length of pledging their lives and fortunes in the support of his Majesty in the contest in which we were engaged, without pledging themselves

to the approval of the conduct of his Majesty's Ministers. He trusted the House would indulge him, when he previously confessed that it was impossible for him to take that narrow view of the question which was proposed by the Rt. Hon. Gent. He thought it absolutely necessary to comment upon those steps which Ministers had taken during the negotiation, since it was impossible to discuss the steps ultimately taken by those Ministers, without inquiring into the previous negotiation. In doing this, whatever might have been his feelings with respect to any party with which he was connected, he acted perfectly free from all party bias. He had hailed the accession of the Rt. Hon. Gent. (Mr. Addington) and his colleagues to power, as the only chance of saving the country. He acknowledged the brilliancy of the speech made by a Rt. Hon. Gent. (Mr. Pitt) on the preceding evening, and he so much the more regretted the part that Rt. Hon. Gent. had taken, for as it had been said that one person in France had absorbed the whole power of that mighty empire, so it might be observed, that if ever the fate of empires hung upon the lips of one individual, it was on the lips of that Rt. Hon. Gent. (Mr. Pitt) on the preceding evening. He regretted the part which that Rt. Hon. Gent. had taken, and should have been happy if it had been otherwise, for no one would be more happy than himself at the return to power of any one who was disposed to restore peace, which he thought might still be restored. He thought the negotiation had been conducted ill, and that when it was broken off, it might still have been brought to a happy issue. But if the Noble Lord (Hawkesbury) thought the experiment of the treaty of Amiens was useful in destroying that spirit of enthusiasm in France, from whence so much mischief had resulted, do not let those who spoke upon this subject, increase inflammation upon a question which they ought to discuss dispassionately, and not suffer themselves to be run away with by the old inveterate spirit of hatred against France. Let them recollect who were the Ministers who called for war. He was not surprised that the Rt. Hon. Gent. (Mr. Grenville), and those who sat with him, should contend that there were sufficient grounds for war, but did not enter into the consideration of any distinct cause for war, contending, as they did, that at any time since the signature of the treaty of Amiens there was sufficient ground for war. But what did we now go to war for? Was it or was it not on account of the single paper of the ultimatum of this country which now lay upon the table? And if France had accepted that ultimatum, should we or should we not be now at peace? If so, let them dismiss all circumstances of aggravation from the discussion of the subject before them. No man felt more than he did the aggravated insults offered to this country by France; but why not make representations upon each insult received, and, if no satisfaction was obtained, why not appeal to Parliament? He granted that every individual insult was a cause for war; but why then not demand satisfaction, and if not granted, appeal to Parliament? What were the circumstances which related to the treaty of Amiens? On the 23d of November last, his Majesty's speech was made to Parliament. He confessed that the speech of the Rt. Hon. Gent. (the Chancellor of the Exchequer) then made upon the question respecting the address, was far from being satisfactory to him. He took the liberty at that period to ask for explanation; and if he did not much misinterpret what was then stated by that Rt. Hon. Gent. it was, that there was no danger of any breach of the treaty of Amiens. From this circumstance, a grave and weighty responsibility rested upon Ministers. The subject of Switzerland had been dwelt upon already with so much eloquence, that he should only say, that he viewed the events which had taken place in that country with as much horror as any man. But how did the question stand with respect to that country? At the time that Buonaparté invaded its liberties, a Swiss deputy applied to the powers of Europe, through the medium of their ambassadors at Paris, for assistance; they were only successful in their application to this country. A note was presented from Lord Hawkesbury, remonstrating with the French government respecting that subject. A letter of instructions, dated the same day (the 22d of November) with that note, was sent to Mr. Moore, giving him an irrevocable power to involve this country in a war with France; not but that there was a just cause for war, but knowing at the same time that the Swiss were supported by no other power than by this country, under which circumstance it must be agreed, that such a war would have been impolitic. Thus, after the refusal of the other powers of Europe was known, and Ministers having, on the 23d of November, risked a war with France on the subject of Switzerland, and not then knowing the issue of the negotiation, did then in point of fact inform the House and the country, that there existed no danger of any breach of the treaty of Amiens. How was this to be interpreted? Ministers sent out immediate orders, in consequence of this dispute, not to evacuate the Cape of Good Hope and other places, which was a direct breach of the treaty of Amiens. Soon afterwards they sent out orders to evacuate those places. This would serve to shew how Ministers interpreted their own act respecting Switzerland. It was most extraordinary that at the same time when they sent out orders not to evacuate the Cape and other places, no orders were sent out not to evacuate Malta, which was more particularly the subject of dispute between the countries, on the importance of which so much stress was laid,

and which it now appeared formed the whole subject of the present contest. On the 8th of December, when a flourishing statement of the finances of the country was made by the Rt. Hon. Gent. (the Chancellor of the Exchequer), he then said, that there was no danger of any breach of the treaty of Amiens, at least if not so in terms, that was the tenour of the expression used by him. At the time of his Majesty's message respecting his R. H. the Prince of Wales, the same thing was repeated, that there was no danger of war. Very soon afterwards came his Majesty's message, announcing a probable rupture with France: the grounds of that message had never yet been explained: distinct information had been asked for as to the grounds of that message, but his Majesty's Ministers had never yet given it, nor had they at all explained that message, which appeared now so very inexpedient. It had been asked by the Rt. Hon. Gent. (Mr. Grenville) what we should give up by going to war. He would ask what was the sensation produced in the country by that message, which announced the probability of war? Let that Rt. Hon. Gent. consider the sorrow which was produced throughout the country by the tidings of that message, and let him imagine the real grief which it occasioned. As to the opinion of the country, his opinion was, that if it was polled from one end to the other, with those exceptions which must always be the case, there was not one man to be found who would not say, that if we had received insults from France, those insults ought not to go unredressed; but let that opinion be taken in the same way, as to the conduct of his Majesty's Ministers, and whether they had done all in their power to avoid war, and he believed the answer of a large majority would be, that they had not; that was also his feeling upon that subject. He thought that his Majesty's Ministers had passed over in the Declaration, many points with respect to which the tone of France was more insulting, or at least as much so as in those they had noticed. With respect to the representations of France respecting libels alleged to be published against the government of that republic in this country, such remonstrances should have been treated with contempt; the answer should have been, We have no satisfaction to give you, take your remedy. With respect to the commercial commissioners, did Ministers do their duty? were those men sent out of the country? The consequence of not doing their duty was, that it still remained a problem, whether they had received satisfaction from France on that point: and this, mixed up with other things, was brought forward as matter of aggravation against France. Lord Hawkesbury had been called upon to send out of the country certain individuals because they were obnoxious to France. No Briton would contend that men who had received the protection of this country, ought to be sent out of it; but it appeared that the Noble Lord had made a promise upon the subject. But how should the representations upon that subject have been met? By a direct refusal; and if France chose to avenge herself, let her do it. The subject of the aggrandizement of France had been already ably discussed. Those who voted against the peace of Amiens, stated this as a reason why they opposed that treaty. But how was it with respect to his Majesty's Ministers? The independence of Holland was secured; but the fact was, that French troops were in the Batavian republic at that time, and continued there. Were any representations made respecting those troops? Several motions were afterwards made by those troops, for the purpose, as it was supposed, of quitting the Batavian republic, but they stopped on the frontiers of Holland, under the pretext of being destined to serve in the expedition to Louisiana; but was there any formal remonstrance upon this subject? He should have thought it proper that Ministers should have sent a formal representation, in order that they might have had a formal answer; then they might have come to Parliament with their doubts; and there would now have been no dispute about the object of war. The independence of Switzerland was secured by the treaty of Luneville; yet, eight or nine months after the signature of that treaty, the French troops were not withdrawn from that country: that might have been considered as an omen of the bad faith of France. A considerable time elapsed between the signature of the treaty of Luneville, and that of the treaty of Amiens, and still the French troops were not withdrawn. Those who made the treaty of Amiens must have considered at that time that Switzerland would be kept by France. All these circumstances were stated, and the argument by which they were answered was, that it was to be supposed that the treaty would be executed. A system of aggrandizement was likewise pursued in Italy; and at the time of signing the treaty, Piedmont was in fact annexed to France, by being made a military *arrondissement* of that country, which was very little different from being really annexed to France. The isle of Elba was likewise taken under the protection of France, and that protection was sufficiently known. All these circumstances were known at the time the definitive treaty was signed. It was not therefore for those who signed that treaty, or those who supported it, to contend, that those reasons which existed at the time of signing the treaty were now reasons for going to war. It had been asked by the Noble Lord (Hawkesbury) on the preceding evening, was no country to come forward to take up the cause of an injured Sovereign, or an injured people? He (Mr. Whitbread) agreed, that if a case was made out of injury, their cause ought to be taken up; but it was needless to talk of giving what could not be given. That Noble Lord

had alluded to the German indemnities, the whole of which was a complete system of robbery: but did the Noble Lord and his colleagues, who knew such a system was resolved upon at the treaty of Luneville, set their faces against it? Now, however, we were to go to war to redress the wrongs of the continent. If the ultimatum on the table was not the object of the war, in God's name let them know the object of it; let them not raise a false spirit in the country; let them know whether the object might be attained or not without going to war. With respect to Malta, which seemed to be the sole object in dispute with a view to Egypt, the Noble Lord (Hawkesbury) had descanted upon the perfidy of the French government, in throwing difficulties in the way of the guarantees; but he forgot that all the while the French government were throwing difficulties in the way of those guarantees, Malta remained in the possession of England, and that it must have done so whilst those difficulties remained. The Noble Lord and his colleagues had, however, resolved to fulfil the treaty of Amiens, when, on the 9th day of February, a dispatch was sent to Lord Whitworth, announcing that the evacuation of Malta would have taken place if a certain circumstance had not happened. This circumstance was Sebastiani's mission. The Rt. Hon. Gent. (Mr. Pitt) had said, that the hostile disposition of the First Consul was to be inferred more from the mission than the Report. Ministers had stated, that they knew of the mission, and that they knew Sebastiani had seen General Stuart, as in their dispatch to the French government they had stated that Egypt had not been evacuated, in consequence of a mistake. If the Report was an act of aggression, he thought that Ministers were highly culpable in not remonstrating at the time. Did that Report disclose more of the hostile disposition of the First Consul than was before known? Egypt was always a favourite object of the French government, and Malta also, with a view to the former. What was done to prevent Malta from falling into the hands of the First Consul? It was proposed to garrison it with Neapolitan troops, when the feeling of every military man upon that occasion was, that it was in fact placing it in the hands of France, as the First Consul might have it when he pleased. As to the importance of Malta with a view to Egypt, it had been stated upon a former occasion by a gallant officer (Gen. Maitland), that it was of no importance in that point of view. It was not unlikely that the empire of the Ottoman Porte might fall by means of some arrangement of partition, to which the First Consul might be supposed to allude in conversation with Lord Whitworth, and therefore his words were not to be taken in that sense which was applied to them; but at any rate it only resulted that all that we knew before upon that subject was confirmed. It appeared that Talleyrand had signified the willingness of the French government to give every security respecting Egypt; he did not think Ministers went far enough in inquiring what that security was. The Emperor of Russia had offered to guaranty Malta, leaving out the Maltese langue. This morning an important document had arrived, contained in the French official paper, which was a note from the Russian Minister, to Talleyrand, stating in the most conciliatory terms, the desire of his Imperial Majesty that the treaty of Amiens should be maintained, and his wish to interpose his good offices between the two countries, and at the same time stating, that the English government knew that the Emperor could not assent to the Maltese langue, on account of a previous arrangement to the contrary. From this it appeared that his Imperial Majesty was willing to interfere between the two countries. With respect to the previous arrangement there mentioned, it appeared very strange, but perhaps Ministers might be able to explain it satisfactorily. This, however, he was sure they would not explain satisfactorily, why they had not noticed that projet of the court of Petersburgh at that time, when there had been no Sebastiani and no message to the Legislative Body. The publication of the Report of Sebastiani, notwithstanding what had been said by the Rt. Hon. Gent. (Mr. Pitt), might be considered as an answer to Sir Robert Wilson's work, respecting the transactions of our army in Egypt. If the message to the Legislative Body had been considered as an insult, Ministers might have demanded and obtained satisfaction immediately, as they had done in the case of M. Reinhard. With respect to the refusal of Russia to guaranty Malta, it was contradicted by the note which had been laid upon the table that evening by the Noble Lord. He thought that his Majesty's Ministers might still avail themselves of the interference of Russia, and that peace might even yet be preserved.

Mr. DALLAS said, that the question before the House involved in it two considerations: the justice of the war, and the conduct of his Majesty's Ministers in the conduct of the negotiation. Upon the latter point there appeared to be considerable difference of opinion; some Gentlemen seemed to think that Ministers had not gone far enough in their efforts to preserve peace, while others thought that they had not taken their stand early enough against the aggressions of France. He wished to recall the attention of the House to what appeared to him to be the only question now before them. The question was, whether the war in which we were now engaged was on our part a just war, or not? As to the conduct of Ministers during the negotiation, that certainly did not form a part of the consideration before the House; at least the address which had been moved for by the Noble Lord, did not

call upon them for any approbation of the conduct of Ministers. But as to the real question before the House, he would ask whether there was any man who would say that the conduct of France was not, in every instance, marked with insult and aggression against this country; and yet it was proposed in the amendment, to leave out all that part of the address which expressed the opinion of Parliament upon the justice of the war. If the amendment was adopted, Parliament would be pledged to support the war, without giving any opinion whatever upon the nature of the war which they pledged themselves to support. He confessed that he came to the consideration of the papers which had been laid before the House, with a mind not destitute of partiality for his Majesty's Ministers, who had concluded a treaty of peace, which had been approved of by the country, though perhaps some of its stipulations were liable to objection: it struck him, therefore, that the persons who had made such a peace must be anxious to preserve it. But he came also to the consideration of these papers with another and a superior feeling, viz. an anxious wish, an ardent desire, to find his country in the right; a hope that we should not now, for the first time, be found to have departed from that strict observation of treaties, that course of honourable moderation, which had always characterized our conduct. Upon the desire of Ministers to maintain peace, it seemed to him impossible to entertain a doubt. Had they not made every cession stipulated for by the treaty of Amiens, except only that of Malta? and had they not made every effort in their power to prevail on those powers of Europe who were to guaranty that island, to accede to that guarantee, in order that Great Britain might completely fulfil the treaty? It was not necessary to enter into an examination of the conduct of France with regard to Holland, to Italy, or to Switzerland. Nobody pretended to defend or excuse their conduct in relation to these states. With regard to the execution of the treaty of peace, every thing on the part of this country manifested a desire to execute the treaty: every thing on the part of France was evasion, prevarication, and delay. With regard to the mission of Colonel Sebastiani, he should pass that over, as so much had been said upon it, with merely observing that it was a clear manifestation on the part of France of a desire to get possession of Egypt, and, through Egypt, of India. The First Consul had told this country that Egypt was his object, but that he would not go to war for it. This was a faithful picture of his mind. He will not go to war; why? because he is restrained by the stipulations of a treaty, because he is restrained by a sense of honour and good faith? No; these are restraints much too weak for his great and daring mind: but he will not go to war now for Egypt, because he had hopes to get it at another time and by other means; that is to say, he will choose the moment when it is most convenient for him to go to war for it. The British government had constantly asked for explanations of all the conduct of France, which explanations were constantly refused; and at last, when the British Minister had left Paris, then they made an offer, which was in fact nothing less than to ask us to participate in a scheme of plunder and robbery. An Hon. Member (Mr. Whitbread) had asked for information upon a point upon which it was essential that not only he, but the House and the country, should obtain a specific answer. He had asked for what purpose we were going to war? The answer he would give to that question would be this: "We were going to war for Malta—not for Malta only, but for Egypt—not only for Egypt, but for India—not only for India, but for the integrity of the British empire—not only for the integrity of the British empire, but for the cause of justice, good faith, and freedom all over the world."

Mr. ELLIOT said, that in voting for the address, he meant merely to express his opinion of the justice of the war on the part of this country; but to give no opinion whatever upon the conduct of Ministers. The war appeared to him both just and necessary; necessary, because we were forced into it for self-preservation and defence; and he really would not give his vote for the war unless he was convinced that it was not only just but necessary. It was not necessary to refer to, or to comment upon the repeated acts of insult and aggression offered by France to this country; they had increased every day, and were still increasing. Upon this subject he was happy to find that there were not two opinions in the House. With respect to the mission of Col. Sebastiani, it had been said that France had given no satisfactory explanation upon this point; but it appeared to him to be an act which was almost incapable of explanation or of reparation; it was a cool, deliberate, determined act of aggression. It was true, that in entering into this war we commenced it with many disadvantages; we had given up all our conquests; we had given up to France many possessions which were important in a military and commercial point of view; and he was every day more and more confirmed in the opinion which he had always entertained, that we had lost more by the late unfortunate truce, than we could have done by even a disastrous war. Of all things, now that the contest had commenced, he should deprecate a speedy and insecure compromise with France; he hoped that the contest would be continued until real peace and tranquillity could be restored.

Mr. Sergeant BEST said, if he were asked, would he go to war for Malta? he would answer, No; he would not, or for a much more extensive possession, in the abstract: but it was the manner in which France demanded Malta, it

was the disposition she had shewn, it was the designs which she had openly avowed, that in his opinion justified this country in going to war. If the smallest spot of earth was demanded of us, in the manner and under the circumstances that France demanded Malta, he would refuse it, because he would consider it as essentially connected with the safety and the interest of the British empire. He was ready to admit, that between the preliminary and definitive treaties, France had repeatedly given us cause for war; but it did not therefore follow that Ministers were to blame for not going to war, for it by no means followed that a country was always to go to war, whenever it had a just cause of so doing.

Mr. CANNING said, that the amendment which had been proposed, had rendered it necessary for him to say a few words in answer to the Hon. Gent. who had proposed it, and those who had supported it. Gentlemen had contended that it was impossible to vote for the original address, without precluding themselves from entering into any examination of the conduct of Ministers. To this he could by no means assent. If it was only to guard his own vote against such a construction, he should have thought it necessary to trouble the House; but he was also anxious to controvert another proposition which had been advanced, viz. that those who disapproved of the conduct of Ministers, were bound to withhold their assent from the address. He could not comprehend upon what ground the distinction which had been taken on these points, was represented as so absurd; for it appeared to him that these two points, viz. the justice of the war, and the conduct of Ministers, might very fairly and properly be separated on the present occasion. When they are engaged in a war with a great and powerful enemy, their first business was to assure the Executive Government that they should receive the support of the Parliament and of the country; but at the same time warning Ministers that if there had been any thing improper in their conduct, this general support should not protect them, at a proper time, from examination and censure, if censure should be necessary. He did not mean to throw out any insinuations against the conduct of Ministers: and if any observation of his had that tendency, he begged leave, beforehand, to disavow it. He would reserve what he had to say upon that point for a future occasion. But no consideration could affect the substantial justice of the war on the part of this country. It was a war for the dearest interests of the British empire, into which we were compelled to enter by the deep-rooted, avowed, and incurable hostility of France. Whether Gentlemen might think that the stand of Ministers was not made at the proper point, still there was not, there could not be any difference of opinion upon the justice of the cause in which we were engaged. Whatever imputations might be thrown out against Ministers upon other points, no man could say that with regard to Malta they had shewn any unwillingness to comply with that part of the treaty; on the contrary, they had shewn the greatest industry in negotiating and endeavouring to carry the stipulations relative to that island into effect. If, therefore, under all the circumstances of the case, they kept Malta, the fault was not to be attributed to them, but to France. The question now under consideration was, whether Malta being in our possession, Ministers were blameable in making their stand there. Upon this point his opinion was completely made up, and he entirely agreed with the Rt. Hon. Gent. (Mr. Grenville), that if Malta had been previously given up, Great Britain would have been justified, after the designs so openly avowed by France, in endeavouring again to obtain possession of it. This being the case with regard to Malta, the House was told, by those who supported the amendment, that they had no right to allude to former grievances, and that, however bad the conduct of France might have been on former occasions, we had no right to refer to it now, because it had not been noticed before. He did not understand that the former aggressions of France were now alluded to, as being in themselves distinct and substantive causes of war; they were introduced to shew the general disposition and intentions of France. Without discussing whether Ministers were or were not culpable in not making a stand upon these former aggressions, still their not going to war upon these grounds could not preclude this country, when a fresh cause of war arose, from adding to its case those previous indications of hostility, those previous acts of aggression. But he would not now use them as matter of complaint against France, he would only use them historically as indicative of the disposition of France. With regard to the importance of Malta, he could only speak from what he heard or what he observed; but upon that point he had the opinion of Buonaparté himself. The importance of Malta was distinctly proved by the events which had occurred. When the French were going to invade Egypt they touched at Malta: when the English were going to drive them out of Egypt, they touched at Malta. The inference was obvious. As it appeared now that the Mediterranean was to be the scene of struggle between this country and France, Malta could not be looked upon as unimportant. An allusion had been made to a statement which appeared in a French paper, which arrived this day, that it was possible to put Malta into the hands of one of the three great powers who were invited to guaranty it; but we had declared in a previous part of the negotiation, that Russia was the only one of the three powers to whom we could consent to deliver it up, and he did not understand that there

had been any offer made by Russia to garrison Malta, as well as to guaranty it. Therefore this statement in the French paper left the case precisely where it was before. Something had been said in the course of the debate about the value of continental alliances: we had now before us the experience of a century, in which continental alliances had formed a part of the political system of this country; we had also the experience of two years in which we had adopted a different line of policy, and experience had shewn that the latter plan was not the best calculated to promote our interests or secure our tranquillity. He wished it to be understood, that even if Russia would accept the military protection of Malta, that would not be considered as a satisfactory adjustment of the differences relative to that island. It was stated that Russia was the only power into whose hands Great Britain could in fact trust the protection of that island: but it was not stated that if Russia had acceded to that proposal, it would have been perfectly satisfactory to this government. His assertion had been grounded on this circumstance—the refusal of the court of Petersburgh to accede to the guarantee, the correspondence which had taken place since the treaty of peace, and the sentiments which had been expressed by the Russian ambassador at this court. He wished also to observe, that the very messenger who had brought Count Markoff his instructions to offer his good offices between the two countries had brought similar instructions to the Russian ambassador at this court. He was not in possession of these instructions in an official manner, so as to be enabled to lay them before the House, but they had been communicated to him, and they did not contain one word that held out the idea that the Emperor of Russia was disposed to take upon himself the military protection of Malta. They only contained general expressions of good will, and a desire to the Russian ambassador in this country to become, if it should be necessary, a channel for any explanation that could be carried on between the two countries. The only expressions with regard to Malta in those instructions, so far from holding out the idea of a military protection of Malta, stated, that it was not his Majesty's desire to accept even of the general guarantee, and that only upon the terms which had been previously mentioned.

Mr. Fox said, that he should be very unwilling to trouble the House, if he did not feel it an absolute duty to the people of England to endeavour, if possible, to rescue them out of a situation of great danger, and at all events of certain misery, even if the contest in which they were about to engage should be attended with the most brilliant success. But before he entered into the general question, he wished to say a word or two upon the manner in which it had been taken up. Those who had spoken in favour of the original address had expressed an apparent wish to confine the discussion entirely to the justice of the war, and to treat it as an entirely separate question from the conduct of his Majesty's Ministers. Now, with respect to the justice of the war, it could not, in his opinion, be by any possibility separated from an examination of the conduct of Administration, because the question of the justice of the war might, in a very great degree, depend upon the refusal on the part of France to give explanation, satisfaction, or redress, and it would be necessary to know when and in what manner Ministers had applied for such explanation and redress; but it was impossible to contend that by voting for the original address, they would not vote their approbation to Ministers for their conduct, because the address went to thank his Majesty for his uniform efforts to preserve peace, which he could not do until he had more complete proofs of the fact. The Hon. Gent. who sat below him, would, perhaps, concur in declaring that Ministers had been uniform in their desire to preserve peace, but would he concur in thanking Ministers for the whole of their conduct in the negotiation? A Rt. Hon. Gent. had said, that there was not a word in the amendment to which he was not ready to accede; but that he would vote for the original address, though it contained some passages to which he could not give his consent without a long explanation, and without entering his protest. It was then surely better to vote for the amendment, in which all could concur, than to vote for the address, which required so much explanation. Mr. Fox went over the whole of the correspondence between the two countries, and made comments on each particular part as he went along, by which he maintained that it was manifest there was a great deal of shuffling on both sides, between the representatives of the two countries; he disapproved of the demand made by the Chief Consul of France, that any one member of the House of Bourbon should be ordered to quit this country; he had no idea, that under any pretence whatever an independent state was to be called on to deny to any unfortunate or persecuted emigrant the rites of hospitality. He considered the application made to us to abridge the liberty of the press, to be the offspring of the most profound ignorance of our laws and constitution, and a thing deserving only contempt and ridicule. He thought that much too great stress had been laid on several of the expressions of Buonaparté, by the commentaries of Lord Whitworth, in his account of the conversation between his Lordship and the Chief Consul, and that the report from memory of a long conversation was necessarily, and, at best, a very defective thing. He ridiculed some conclusions that were drawn from the tone and manner of Buonaparté, that he was proud and haughty in talking of an attempt on our coast,

and saying that it was an hundred to one that he would be destroyed in the attempt, and that he despaired of accomplishing his end: this, he said, reminded him of the most extravagant passage in the most extravagant work of the most extravagant, though admirable poet, Dryden, who had put into the mouth of one of his characters, speaking to the other—"You shall not dare to be so impudent as to despair."—He ridiculed also the idea of supposing that Buonaparté would have been so extremely foolish (unless indeed we supposed him to be fit for Bedlam) as to tell our Ambassador of his intention to go soon to Egypt, if he really had that intention. It was true he had expressed a desire to go there, but certainly no design; but the desire of a person to do a thing was not a ground for war, else we should never have been at peace with the House of Bourbon; nor was the sending a person to Egypt to examine that place, for that has been often done. As to the commercial commissioners, who came here in disguise to take the soundings of our coasts, he thought that was a great breach of faith, and they ought to have been arrested, and satisfaction demanded; and if refused, that would have been ground for war: but there was nothing of that kind done. With regard to the general system of aggrandizement, unless it affected us immediately, we had no right to complain of it more than the French had to complain of us for our aggrandizement in India; if they accused us in this respect, by way of retaliation for our railing, he knew of no answer he could make, unless we imitated the lady who being accused of a disregard of her virtue in many instances, said, "Never before, upon my honour, on this side of the Cape of Good Hope."—As to Egypt, the Rt. Hon. Gent. ought to know that Vergennes, the minister of Louis the XVIth, had an expedition thither in contemplation, and how was that resented? Why, exactly by making a treaty of commerce with him! We ought not to suffer ourselves to be deceived by the hyperboles of eloquence out of our common sense. We were bound by our treaty to deliver up Malta at a certain time. This article was said to be of the Minister's own manufacture. As to the article concerning the guarantee, the two other articles are not affected by it; and they provide for the appointment of the Grand Master and the garrison of Neapolitan troops. Well! but France wished to throw difficulties in the way! How? For the purpose of preventing its surrender! What was France to get by that? Ministers are then angry that France was not as zealous as themselves in endeavouring to procure the acceptance of the guaranteeship of Malta. What said Russia? She would do it upon certain conditions. What signified the Maltese langue, about which so much was said? Was it for a point of good faith? Why, if it was kept by England for ten years, the knights of Malta might go where they pleased! But then comes Col. Sebastiani's Report, with the mighty disclosure of the First Consul's desire to retain Egypt. The letter is a complete proof of a military officer having been sent to take military surveys, and form, probably, military connexions for France. Then Ministers find a desire, which they immediately convert into a design and overt act of seizing on Egypt. As to the reflections contained in that letter on Gen. Stuart, he considered them as most unfair and unmanly, and deserving of the highest reprobation. He was happy, however, they could do him no harm, as he understood him to be a very meritorious and intelligent officer, and a deserving man. In a political view, that Report was most absurd; but of itself it does not amount to a ground of war. Let any man name a year from the treaty of Utrecht, in time of peace, when the old French government had not some such missionary at work. In this he was fortified by the Secretary of State's speech, which stated, that in no time of peace following the three last treaties of 1749, 1763, and 1783, had one year elapsed without an indication of hostility and an infraction of peace. Would he on this principle have made war constantly on every one of those grounds? How monstrous! how extravagant! Europe would not have had a short breathing-time once in a century from the horrors of war! He thought the curious conversation with Lord Whitworth had some marks of openness. If the Consul had not mentioned the idea of Turkey falling to pieces, he must have observed a greater degree of reserve than is usual in any political conversation in Europe. Why, the late Empress of Russia was well known to have designs upon Turkey, and the naming of her son Constantine was once said to be with that view. Who ever heard of an idea of war by the sovereigns of Europe against her on that ground? We must be acquainted with all the circumstances in such cases, before we can pronounce judgment. What might not be said on countermanding the evacuation of the Cape? They might say we were determined to break the treaty; we had a Minister who said, he that gave up the Cape ought to lose his head; and the English were, it might be said, resolved to break the treaty for that and such purposes. The publication of Sebastiani's Report is of itself a proof rather that it was not to be considered as an hostile aggression. Then came a part of the negotiation, incomprehensible indeed on both sides, but most so on ours. Lord Whitworth goes to request an explanation. What says the French Minister? Oh, I can tell nothing about it, Sir! Then explanation is changed for security, and security for Malta in perpetuity; and, last of all, Malta for ten years! Having pushed the Consul as far as prudence would permit, it was thought better to make it a little easy; and so, as a ghost comes in after a tragedy, they bring up some more proposals and conditions at the end. As

in the Rehearsal a King of Sardinia is brought in who had been dead before the play, and with Malta at his tail! So we pushed the Consul hard, and then to make a show of something, they cry, "Bring in the King of Sardinia," and then they put him out again along with Switzerland, as easily as possible. The most unjustifiable of all the conduct of Buonaparté on the subject of annexation of territory, was that of his behaviour to Holland and Switzerland, which was certainly most cruel; but he maintained, that we had not acted properly in these particulars. With regard to the abuse of the one government towards the other, there were but two ways of disposing of that point—either to demand satisfaction, or to pass it over in contempt; neither of which we had followed; besides, the parties in this respect appeared to be pretty nearly on a level. His general blame upon Ministers was, that if they had any subject of complaint, they did not specify it, and demand satisfaction; and then, if satisfaction was refused, it would be time enough to think of going to war, for insult was no ground of war. It was the refusal of satisfaction for insult, after satisfaction was demanded, that was ground for war. This he applied to the whole of the case of aggravation and insult, as it was insisted upon on the part of our government; and he maintained that we had been deficient in our course in not demanding satisfaction for the insult whenever we met it, instead of waiting for an accumulation of insults, and then to make the total a subject of complaint. He accused both sides of a great deal of hypocrisy on this occasion, and charged us with having at last gone to war upon a sordid principle, that of the possession of Malta, and for which it was improbable we should have any alliances, because the thing in contest was interesting to none but ourselves. The remedy for all this he stated to be that of an appeal to the great Monarch, the Emperor of Russia, first to become guarantee for Malta, afterwards arbiter between us; and then, if the French should persist in their career of injustice, the probability would be, that we should have allies, because the matter in contest would then be generally interesting. He said that this was the only course that could wisely be taken by us. He would, therefore, recommend that the House should agree to the amendment, and that an alliance should be formed with Russia for the prevention of French aggression. The other alternative was war. We had talked much more of other countries than of our own. Suppose all imminent great danger out of the case, let Gentlemen recollect the state of the country during the latter period of the last war. What was the state of villagers, of tradesmen, even of gentlemen of moderate incomes? He had heard much talk of economical war; it could not be meant in the vulgar sense. We should now have exertions to make to which all former exertions were as nothing. This we had been told last night pretty plainly, and this not in the flourishing speech of a young Member, but an old Member, no novice, but an adept: "I," says that Rt. Hon. Gent. "who have had such great practice formerly, in drawing your teeth and paring your fingers, cutting you to the quick indeed pretty often, have provided for you a new operator, who has an entire new discipline for you. You fought last war for religion and social order, and the balance of power; but that is all nothing to what you are now to expect. Prepare! Lord North and myself were mere triflers. You are not to think of a year, but a continuation of years, and an addition of two or three hundred millions of debt. The income-tax was to many intolerable, but the new income-tax will be much more severe and oppressive. We must expect great improvements in those measures, and in the mode too of enforcing them. The last income-tax was pretty near to an inquisition, but the next will complete the business! Don't let any body think of paying any thing less than a fifth, a fourth, or perhaps a third, if necessary. Don't let him think of paying less than fifteen shillings out of a guinea, nor of a drawer which shall not be liable to be opened to the inspector!" And all this for what? Why, for Malta! plain Malta! plain Malta, after all!! Malta, unconnected with any great, general, generous interest of Europe! There was some Emperor of Fez or Morocco, who wore on particular occasions a grand turban and dress, which excited the admiration of strangers. "Ay," said his subjects, "these are fine exhibitions for you, but they are only the signs of an execution-day with us!!!" So when we hear Members of Parliament indulging us with luxurious treats of eloquence, and full-dressed speeches, and high-toned declamations, I feel myself finely feasted and pleased in the House; but when I go into the lobby, and see the people standing about the door, I cannot help thinking, Ay, ay, you have to pay smartly for all this! We have had philippics that Demosthenes himself might have envied. I remember in the American war we had plenty of the same luxuriancy of hyperbole, metaphor, and romantic rhodomontade! In the last war we had still more of it; for then we had the most eloquent of men declaring in favour of the war. All was rich and delightful as a feast; but unfortunately then came the bill, and the enormous charges spoiled all the relish of the entertainment! I am esteemed so Frenchified by some persons, that I may be excused here in quoting an old French proverb, applicable enough in this case—"*Le cout ote le gout!*" Sir, I remember, when all the privy council came out of their chamber perfectly intoxicated with a fine piece of declamation of Lord Rosslyn's against Dr. Franklin; they were very nigh tossing their hats in the air for joy at this notable victory of the tongue! Well, Sir, I

don't think any man will dispute the fact, that we paid pretty well for that exhibition.—Mr. Fox considered an alliance with Russia as the most advisable, and the only policy at the present important moment: he thought it the only method of benefiting Europe, and of putting ourselves in the most favourable light to Europe. He observed, that the address stated a fact which but few could assent to, namely, that Ministers had been sincere in their endeavours to preserve peace, and which no one assented to without qualifying his vote; whereas the amendment stated that which every body admitted to be true: the way therefore to produce unanimity in the House, was to adopt that which every body admitted to be true, instead of proposing that which nobody could assent to without qualification.

The CHANCELLOR of the EXCHEQUER said, that he never heard with more admiration the talents of the Hon. Gent. nor had greater occasion to lament that the effusions of his great and exalted mind should have been employed for the purpose for which they were then applied. It certainly was not the intention of that Hon. Gent. to produce the effect of unhinging and unnerving the House, at a period the most important for the consideration of the most momentous subject that could come before Parliament; and he could not help lamenting, that such powers should have been so employed, and to give encouragement where there ought not to be encouragement given, namely, to our enemies; not that it could be so intended, although it might be considered as likely to have such effect. He would put it to the candour of that Hon. Gent.'s mind, and would ask him, upon reflection, whether he thought the language he had used was not likely to accomplish an object which he could not wish to have accomplished? whether he did think, that describing that subject in the manner in which he had described it, was necessary for any good purpose; and whether he thought it fair to make such an appeal as he had done to the feelings of mankind, for the purpose of enlisting them, as it were, to fight against their public duty? Such might be the effect of the eloquence of the Hon. Gent. that night; but he had a firm reliance on the good sense and fortitude of the people of this country; and he had a perfect conviction that, at that moment, they felt the danger of their situation, and would not be led away by any artifice or eloquence whatever. He should not follow the Hon. Gent. into a minute detail of this case; he should rest it upon its plain and obvious good sense. Having been one of those who advised his Majesty to send to Parliament the message on which the address now before the House was moved, he was satisfied to rest with the House the consideration of his motives, and that of his colleagues upon this occasion, and he hoped the House were satisfied that no reluctance had ever been shewn on his part to enter into that discussion: that he had been desirous to have it considered by the House, and that he had frequently expressed his mind to that effect, for that he had said that he should not shrink from the moment of discussion; but, on the contrary, had waited with impatience for the arrival of this moment, that every part of his conduct might be canvassed by the House. He earnestly wished also to obtain, and he trusted he should obtain, the concurrence of the House, in every part of his conduct in this particular. The hope which he entertained that such a discussion would take place before the House, was now fulfilled. He hoped it would be the general opinion of the House that night, that his Majesty's Ministers had been sincere in their conduct, and their endeavours to preserve peace, although the Hon. Gent. who spoke last had said that they were not so, and had objected to the address on that account. Now, what were the words of the address in that particular? "That this "House entertains a just sense of his Majes-"ty's anxious and uniform endeavours to pre-"serve to his people the blessings of peace." Such were the words; and he never expected to hear in that House, that such endeavours for the preservation of peace had not been sincere. He now, however, knew there were many, he wished to God there were not so many, who thought they were not sincere in such endeavours; and that there were others who thought that, although they were sincere, they had not been wise in their endeavours to preserve peace. He then noticed what had been stated by Mr. Fox, by way of comment on the Declaration of his Majesty on the subject now before the House; on the point of the indemnities; on the subject of the French troops not evacuating Holland; on the subject of Parma and Placentia, and the annexation of Piedmont; on the case of Switzerland, and on the various other topics stated in that Declaration. Upon all which topics the Hon. Gent. seemed to insist that his Majesty's Ministers had not performed their duty, inasmuch as they had omitted to make specific remonstrances to France in each of these cases as they occurred, instead of waiting for the accumulation of them all. Upon this subject, however, he begged leave to say that the Hon. Gent. had not done justice to Ministers, *for representations had been made upon almost every one of these topics*. He then read from different parts of the Correspondence, the instructions which were given to our Ministers, Mr. Liston at the Hague, and to Lord Whitworth at Paris. He said he should not go over all the grounds of these instructions. With regard, however, to Switzerland, he would observe, as the Hon. Gent. had particularly noticed their conduct in that respect, their object was to maintain the independence of Switzerland, and they expressed that object by Mr. Moore, and intended to support the Swiss, until it

became impracticable by their being overwhelmed. However, the interference of this country had not been totally useless in that respect; for although our wishes were not accomplished, yet much had been accomplished by our exertions; for he had reason to apprehend that our exertions had been the means of preventing the First Consul from declaring himself their first magistrate. He was convinced of this from the information of those who had an opportunity of observing what passed in Switzerland, and from which he learnt that the interposition of his Majesty's Ministers in that respect had been beneficial to the people of Switzerland. More might have been done, had their disposition been properly supported, and more would have been endeavoured by Ministers in that case; but it was discovered that there was no corresponding disposition in the other great powers of Europe to make a common cause with the people of Switzerland. There were therefore no farther means left in this country for that purpose. The course which he should take would be to shew, that the whole of the conduct of the government of France, taken collectively, was manifestly the *animus* to injure and insult this country, and that it was under a conviction of this *animus* that the question of peace or war was properly to be decided. He maintained that all the parts, taken collectively, manifested than *animus*. An imputation had been cast on his Majesty's Ministers, as if they had neglected their duty in not having demanded satisfaction upon points as they occurred; but it did appear to him, and he trusted it would appear to the House, that satisfaction had been demanded on each particular case which required it. He then referred to the Correspondence in several particulars relating to the Report of Sebastiani, from which he contended, that it appeared to be the determination of the French government to interfere with respect to Egypt, and to conduct itself contrary to the express provisions of the treaty of Amiens, which provided for the integrity of the Turkish empire; and to various other parts of the Correspondence between Lord Whitworth and the French Minister, as well as to the long conference therein detailed, as it took place between Lord Whitworth and the Chief Consul himself; and also to what related to Malta in particular; and maintained that it appeared from these extracts, that his Majesty's Ministers had never omitted any part of their duty, but had with great care and attention endeavoured to perform it. He maintained that it appeared in every article that it was the disposition of the French government to avail itself of every opportunity that occurred to shew its hostile temper, and to manifest a determination of going to war, or of rendering war inevitable; that they had made preparations for that purpose by an augmentation of their forces, for that it appeared, that from the 4th of February to the 4th of March 1803, an army was to be paid 243 millions of livres, voted for that year; and the charge of the navy was larger in proportion for the same period, amounting to 126 millions of livres. He then went over those parts of the Correspondence which applied to the offer that was made for the guarantee of Malta by the Emperor of Russia, &c. and alleged the reason why such a guarantee did not take place. He made several comments upon this part of the case, tending to shew that it was not the fault of this country that this part of the treaty was not carried into full execution. —The Hon. Gent. (Mr. Fox) had said, that he believed the war might yet be avoided: the war could certainly not be avoided, because the war was already begun; but if the Emperor of Russia, or any other considerable power, should be pleased to interfere, with friendly intentions, and make any proposition of a practicable nature, by which peace may be restored, he was sure there was not any individual in the House, or in this country, who would be more glad to attend to it than himself; and he would go further, and say, that he should betray his duty to his Sovereign and to his country, if he did not endeavour to forward such an understanding; always remembering, that such object should appear practicable before it should be recommended to the consideration of his Majesty, consistent with the honour of the Crown, and also of advantage to the country; he meant not the apparent advantage in the opinion of some persons, but the real advantages of the people, and to give them the advantages of peace; to give us the prospect of peace. He was not so vain as to talk of a permanent peace, but a real prospect of the real enjoyment of peace. Whenever that proposition should be thought advisable to be made, he should feel a great satisfaction in being the instrument in laying it before his Majesty, and in advising his Majesty to shew that which he had indeed invariably manifested, an inclination to peace, when peace can be obtained with honour; and a repugnance to war, when war was unavoidable; but under the present circumstances, he should deceive the country, if he said he saw any thing in the disposition of the French government which warranted such an expectation. We ought therefore to prepare for meeting all the difficulties of an arduous contest. If by any false advice we were to be lulled asleep, or to relax in our endeavours for the preservation of the state, by which our security was maintained, and leave all our chance to the caprice of fortune, not only should we then not discharge our duty to the country, but the country itself might not then be at any great distance from ruin. And he was desirous this should be impressed on the mind of every individual Member who did him the honour to attend to him, that he did not, and that he could not ask for support on any thing less than a conviction, that he who

does support this system must make up his mind to great sacrifices in a case which required them, and which had been proved to be necessary, as he had stated already, and which had been recommended by the highest force and authority in the House yesterday (that of Mr. Pitt). We must provide effectually for our domestic security; many persons, he was aware, must be put to great inconvenience, and they must suffer great privations for the purpose of having the country secured against the danger and the hatred with which it was already menaced. He wished to impress upon the House these truths; that the present war was founded upon unavoidable necessity, and that there is in his Majesty's Ministers a sincere disposition to terminate this war whenever it can be terminated with honour; but he was also anxious to impress upon the House, that it must make up its mind to meet our difficulties properly in the face. The only regret he felt was, that state to which the House was necessarily driven by the want of unanimity; he would therefore indulge a hope, that the Hon. Gent. opposite to him who had moved the amendment last night (Mr. Grey), would sacrifice a private opinion in this case to the advantages of unanimity. The Hon. Gent. opposite to him, who opened this debate to-night, had well and patriotically said, there was no sacrifice consistently with conscience, which he would not make for the sake of unanimity in this case. He said the same thing, and Ministers entreated that no Member in the House would feel the slightest expression of approbation on any part of the conduct of Ministers, either to preserve peace, or to any terms here made. Under these circumstances, what the motive could be for depriving the country of the benefits of unanimity on this most important occasion he could not possibly discover. The difference between the sentiments contained in the address and those in the amendment, in the opinion of any man of plain common sense, was literally nothing. There was no reason for depriving the country of the advantages arising from a general concurrence of sentiment on this occasion. He should therefore entertain a hope that the Hon. Gent. would examine attentively the words of the address propounded by his Noble Friend, and also the amendment moved by the Hon. Gent. and then he should leave it to the gentlemen on the other side to see if they could have any ground for resisting the address. With respect to the papers now upon the table, he should say nothing of them by way of comment, he should leave them to speak for themselves; he was satisfied they furnished abundant materials for satisfying the House that the French were pursuing a course of aggrandizement which was inconsistent with the honour of this country. In a word, the cause we had to sustain was founded on incontrovertible justice, against insult and aggression; a cause which had left to his Majesty or Parliament no alternative.

The ATTORNEY GENERAL could not suffer the eloquence of the Hon. Gent. (Mr. Fox) to pass unnoticed, as it was a cloak to sentiments which were calculated to destroy the unanimity of the House. The amendment he did not so much object to as his speech that accompanied it; the arguments which the Hon. Member had offered to the House were calculated to do much mischief, as they were founded in ingenuity. He had talked much of the value of the blessings attending peace: the House also knew the value of peace as well as the Hon. Gent.; but he would say, that peace could not be valuable to the country when maintained at the hazard of our ruin, and perhaps the loss of our nation. Let any man look over the papers now on the table relative to the negotiation between this country and France, and he was sure it would be immediately acknowledged, that the French wished to destroy the British power. Every person, who has considered the subject without prejudice, must see the necessity to check the ambition and overgrown power of the First Consul. He did not wish, at this late hour, to intrude on the time of the House, otherwise he had materials before him that would convince the House of the immediate necessity to commence a war against a powerful and dangerous enemy.

Mr. WINDHAM said it was not his intention to trouble the House many minutes, but the arguments offered by Mr. Fox appeared to him fallacious, and he could not but express his disapprobation of the sentiments delivered by that Hon. Gent. The question before the House was certainly of considerable moment; he could not approve of the Hon. Gent.'s (Mr. Fox) arguments, if arguments they may be called. That Gent. had told the House that it was his wish to suspend hostilities, in order to see whether the negotiation may not be kept open for the benefit of a peace: this would be giving time to our enemy, and doing us a considerable injury; he could not but think the arguments which the Hon. Gent. had offered to the House went like poisoned arrows to each Member, and was the effect of wickedness. To encourage delay, under any flattering hope of peace, would be a stab to the country, and place it at the foot of our enemy. Mr. Fox had talked of the income-tax; but how would the people of this country like an income-tax laid on by the French? If the Hon. Gent. could shew by any possible means, that the interference of the Russian power would produce a good effect, he would support the measure proposed. Mr. Fox had used eloquence to destroy every thing that is valuable to society. It had been said by that Hon. Gent. that he did not wish to see the Rt.

Hon. Gent. (Mr. Pitt) in the House, as he had given his support to the question. But he should always be happy to see that Rt. Hon. Gent. in the House, as he was one of the brightest ornaments of the state. He considered it a perfectly just war, and a peace under the present situation of affairs would be dangerous to the country. The House of Commons he considered like an assembly of surgeons, convened to execute a great but delicate operation; and he would ask, whether it would not be better to give the patient a little pain, than let him perish by false kindness. This was the exact state of the country at the present moment: we must suffer pain, to save our country from becoming a heap of ruins; it was therefore necessary we should lose a limb to preserve our body. He should for these reasons support the original question.

HOUSE OF COMMONS.

Wednesday, May 25.—(See Minutes, p. 818.)

[WAR WITH FRANCE.]—Sir ROBERT PEELE said that he had a decided objection to war in any shape, for he conceived it to be the greatest of all evils to the human race; and it should be always his endeavour, while he had a seat in that House, to get rid of a situation so deplorable; but with respect to this war, it did not appear from the papers on the table that it was brought upon us in consequence of any fault of the present Administration. It did not appear to be the desire of the French to obtain the rock of Malta: they had other objects in view. He believed the rock of the English constitution was what they really aimed at: he conceived it was our liberty, protected by our constitution, that gave the most uneasiness; a constitution which reflected so strong a light to the people of France, that it gave them a perfect insight into the rotten state of their own society. He conceived that the French people, who had so long been struggling for liberty, who were an enlightened people, and who valued freedom, would wish us well, and wish a happy issue to this contest.

Mr. HENRY LASCELLES said that the conduct of France ever since the peace had been atrocious, and ever since they had the opportunity, they had pursued a system of aggrandizement, and of insult and aggression to every country they could; so that we could not remain in security. Provocations had been offered to this country, which, in ordinary times, would have been considered as a declaration of war; and he did consider that every mean had been employed by us to procure satisfaction, and to avert the calamities of war. France had put it to us, whether we would sacrifice every thing to support ourselves in an insecure peace. He thought that a state of war, evil as it was, yet was preferable to a state of peace under such circumstances as we were surrounded by since the treaty of Amiens, because such a peace must be liable to continual interruption, and, circumstanced as this country was, must be fatal.

Mr. BANKES found it impossible to vote for the address, because it stated that uniform endeavours had been used on the part of this country to preserve peace. Now this he could not assent to, after he had read the instructions given to Mr. Moore. At the same time he did not concur altogether in the amendment, nor in the arguments by which it had been supported by an Hon. Member last night (Mr. Fox).

Sir RICHARD HILL believed in his conscience that Ministers had been anxious for the preservation of peace, and were sincerely grieved that it should be interrupted, and that they would have sacrificed every thing consistent with the honour and security of the country, to prevent a rupture.

Mr. HOBHOUSE considered it his duty to express his approbation of the conduct and wisdom of his Majesty's Ministers; and he was sure every Member of the House who had taken a view of their conduct, would concur with him in bestowing praise on those Hon. Gent. who had made every endeavour to continue peace. The conduct of the French to Switzerland was sufficient ground for this country to enter into a war with a people who have become so powerful and dangerous. Ministers have not been blind to the intentions of the First Consul, and therefore they had done right to maintain the Cape and Malta. No man could be so blind as not to see that the French wished to increase their power in the East: Malta was therefore the object of their desire. He was, however, happy to find that our Ministers had used every precaution to prevent their extension of dominion in Egypt and the East Indies. The French had gone beyond all bounds of reason, honour, and every thing that constitutes greatness in a nation. It was now time to look after the safety of our own country. He was proud to say that every honour was due to Ministers for the wisdom they have manifested on this important occasion, and their attention to preserve the liberty and the dignity of the island.

Mr. SHAW LEFEVRE said that the people of this country were not to be alarmed by any dreadful picture that may be exhibited to them against a war, when their property and liberties are in danger; and he was sure they would not suffer the French to get a foot of British ground, but shed their blood to preserve the envied blessings of England; envied they had long been, and now are, by a desperate enemy: but he could answer for the courage of his countrymen, that they never would

tamely lose those liberties, of which they are now the happy participators: he hoped the people would follow up the war with spirit, agreeable to the old saying, have a "long pull, a strong pull, and a pull all together."

Mr. WILBERFORCE said, that he did not think the amendment contained any thing improper in it. The part of the address which had occasioned so much observation, and had met with so much opposition, was the lines which expressed "the uniform conduct of the Ministers to preserve peace." No man could suppose for a moment, but his Majesty's Ministers wished to maintain peace between the two countries: therefore by what he said of them respecting their inattention to the blessings of peace, it could only be understood that they had not made use of the best endeavours to produce peace. He wished Ministers had encouraged the Russian power to mediate between France and this country, which might, in his humble opinion, be still the means to settle the differences between the two countries. He allowed that the French had given many proofs of their want of attention to the treaty of Amiens, and had acted in violation of all principle, consequently we must be on our guard, and make the best endeavours to curb the ambition of French power, and convince them that England is not to be trifled with. It was true, that the people of this country must suffer, in order to make our enemy suffer, and that taxes would be laid on the subject to carry on the war; but these are trifles compared with the importance of our religion, morality, and all those rights dear to Englishmen. He was certain he spoke the voice of the people when he told the House, that, from one end of the nation to the other, there would be an unanimity to defend the shores of Great Britain.

HOUSE OF COMMONS.

Friday, May 27.—(See Minutes, p. 819.)

[MEDIATION OF RUSSIA.]—Mr. FOX. I rise in pursuance to the notice I gave on a former day, in order to submit to the House a motion of the utmost importance, a motion, perhaps, of as much consequence, considering the present situation of public affairs, as ever was discussed in this House; and it is from a conviction of its importance alone that I should be induced to trespass on your attention; but that trespass, however, shall be very short. Into the general question of the present war I do not now mean to enter. From my opinions, which I took occasion to state very fully on a former evening, a majority of this House has thought proper to differ, and to the judgment of that majority I bow with respect. The country is now engaged in war, and it shall therefore have my most ardent support. No one can wish it to be more successful than I do; and whatever difference of opinion may prevail as to the grounds of the war, to which I shall not now refer, I am persuaded that there cannot be a dissentient voice upon this question—that it is desirable to bring it to an honourable termination as soon as possible. With this view I have thought it my duty to call the attention of the House to a proposition which, I understand, has been recently made by the Emperor of Russia, to interpose his mediation for the complete settlement of the differences subsisting between Great Britain and France. Such is the disposition which has been manifested by the sovereign of Russia, and of which it is the object of the motion with which I shall conclude, to recommend that his Majesty's Ministers should immediately avail themselves. It is almost unnecessary for me to recite the various advantages which must result from the mediation of this powerful, respected, and much-esteemed sovereign; and among the most valuable of those advantages would be this, that should you be obliged to prosecute the war for the attainment of any objects of which that sovereign should approve, you would have the material support of that approbation—you would have the sanction of his great name—you would have the opinion of the world in your favour—and is not this, I would ask, a consideration of consequence? If you had no other motive for accepting the proposed mediation, this ought to influence you. But not only in this instance would it be desirable. You might, through means of this mediation, contrive to procure the adjustment of not merely the question respecting Malta, but, in fact, of all the points in dispute. Impressed as I am with this idea, and believing it quite practicable, I cannot but be anxious for the interests of my country, and for the peace of Europe, that his Majesty's Ministers should not let the opportunity pass by—that they will not allow themselves to overlook the means which this offers of accomplishing all the objects they desire, of security, honour, and satisfaction. The power and character of the mediator, and the rank which he holds in Europe, justify the strongest hopes. With respect to his character, it stands upon the most elevated ground; and if the report of all men speaks true, that elevation is highly deserved—just to the people committed to his government, and benevolent to all mankind, he is generally known to be extremely desirous for the preservation of the peace of Europe. If so (and I have no doubt of the fact), would any power in Europe attempt to resist our claims, when seconded by the decided expression of that monarch's opinion?—I understand that this Prince is very much affected by the changes which have taken place in the situation of Europe, that he is warmly attached to peace, and that no one can be more disgusted than he is with the conduct of

France since the treaty of Amiens. I cannot conceive then, a character whose mediation it would be more suitable to our wishes and more for our interest to accept. In the situation in which the country is at present placed, it is peculiarly happy that the offer has been made. Upon this particular point I am very sanguine, because I am convinced that if acceded to it may be productive of the best consequences, and, if refused, I am apprehensive of many unfavourable effects. I think it would tend to the satisfactory termination of the war, and also to a satisfactory regulation of the state of the continent. It may be said that I am too sanguine; perhaps so; but yet I have no difficulty in saying, that there exists a strong probability to warrant my expectations. If any one were to ask me, was I certain that such effects as I have described would flow from the mediation of the Emperor of Russia, I fairly own that I would answer in the negative. But of this I am certain, that no injury can arise from it, and that much good may; therefore I would exhort Ministers to avail themselves of it. If I am asked my opinion of the present state of the continent, I would say that it is very far from being satisfactory; but I would ask in return, can you amend that state by a war? Can you promise yourself any such thing? If France be farther inclined to oppress the weaker powers of the continent, how do you propose, with the means you now have, to prevent it? How can you contrive in any degree to restrain the spirit of aggrandizement in that quarter of which you so much complain? This offer of mediation, therefore, you should gladly receive, for two reasons: First, in order to adjust the points in which you are more immediately concerned yourselves; and secondly, with the view of settling the state of the continent. Why then should Ministers decline an offer now, which they would have been happy to embrace at any period of the negotiation? The enemy has expressed a readiness to accept it, and how will it appear to Europe should you attempt to refuse it? I strongly advise you not to do so. If there be any wisdom or moderation in the French government, you will, through the medium of this mediation, be enabled to restore peace upon terms of justice and honour; and certainly there does not exist a power so competent to the object as the proposed mediator, nor one that has a fairer right to interpose its influence for the preservation of the peace of Europe. He may say to this country, "I have agreed to an arrangement with you upon certain points of great importance to my naval power, which was not in all respects satisfactory to my wishes, but yet I acceded to it from the love of peace, and from the same motive I shall adhere to it. You complain of the terms of the treaty of Amiens, and so do I of the terms of the Northern Convention; but you say you agreed to that treaty from the love of peace—just the same reason induced me to subscribe to the Northern Convention. Then I contend you are as much bound to make a sacrifice to the peace of Amiens, as I am to sacrifice to the Northern Convention." But when this Prince shall come to address himself to the French government, he might speak upon still stronger grounds. It is reported that a proposition was some time since made by France to a certain European power (and no one doubts that this power is Russia), to divide the territory of the Turkish empire. This report is alluded to in a paragraph of his Majesty's Declaration, and it is there stated, that this proposition was distinctly refused. The Emperor would therefore stand upon the highest grounds in talking of the French government. He might say, "You proposed to me the dismemberment of Turkey, which is an object that has been much wished for by my predecessors, and for which, therefore, I might naturally be supposed to entertain an hereditary partiality; but I would not adopt your proposition, because I felt that it would not be just in me to invade the possessions of a neighbouring power, although I am quite sensible that I have as much right to do so as you have. If you use lofty language, I am not less entitled to do so; but I prefer peace to the gratification of any arrogant pretensions or ambitious projects, and you should do the same from the same solicitude. I abstain from any hostile attacks on other powers, and you should abstain also." Such are the terms in which this Prince could speak, and if urged to it no doubt would, if you accept his mediation. Let me, therefore, advise you to attach yourself to that power from which alone you can expect to derive any material assistance towards accomplishing the ends you have in view, either of an honourable and immediate peace, or a successful war. With that power alone if you could contrive to form a close alliance, you would be able to protect all the other states of Europe from unjust attack. It is well known that a strong desire of peace prevails among the people of France; but however general and sincere that opinion may be, will not war become somewhat popular when it is stated to them, that their government was willing to submit the consideration of their case to the Emperor of Russia, but that England refused to avail itself of that Monarch's offer to mediate? This will furnish presumptive evidence against you. It would be material to your purpose to deprive the French government of this advantage. Some Gentlemen affect to say that a proposition has been made by the Russian Emperor of such a nature as not to promise any decisive consequences; and others assert, that even if so, it ought not to be acceded to. With neither of these Gentlemen do I agree; but I certainly coincide with those who maintain that this country should not submit its claims to the arbitrary decision of Russia, or any other power;

but will it not be wise to explain the justice of those claims, and to interest a powerful state in your cause? If, after having done so, the French government should refuse you a fair satisfaction, and its system should appear to lead to the subversion of the continental powers, do you think it improbable that Russia would connect herself with you on fair defensive principles to repel such injustice? I think it is not; at least you ought to make the experiment, as the opportunity is so favourable. It cannot prevent you from prosecuting the war with vigour, a war to which I am far from saying you are not competent in point of means, if it should be necessary for you to pursue it alone. But, however high I may think of your resources, I must say that they are not such as are applicable to the main object of the war with France, which I take it for granted to be for the purpose of abridging the continental power of that government. To that, however, you would be quite adequate with the assistance of Russia; at least it would afford the best chance of it. If Russia offers her mediation with sincerity, and I believe none doubts that she does, she feels an interest in the question that must turn in a very material manner to your advantage, perhaps ultimately to a treaty of alliance. Acting in concert with such a power, and for a just object, you could have little danger to apprehend. With such a junction, Europe would have little to fear from the ambition of any man. It would be quite sufficient to make any government of France, however powerful or enterprising, hesitate before it resolved to engage in any war against such an union. She certainly had not sufficient resources to warrant the undertaking. A short review of the state of Europe would serve to establish that point. I shall not now argue the question, whether France or Russia has the preponderance as to military force; but I will observe, that, united with this country, Russia would have the decided advantage, particularly as there seems no likelihood whatever that any other power on the continent would engage in the conflict, at least not to throw their weight into the scale of France. Indeed, it is manifest that Russia is the only power on the continent whose connexion we should studiously cultivate, in the view of checking the career of France. Neither Austria nor Prussia can be for that purpose at all looked to. I will not enter into any investigation of the conduct of the latter power for some time back, which may in some instances be very justly condemned; but it is evident that its general policy is pacific; and Austria from prudence and necessity is not less so. From the lassitude occasioned by the last war, from the diminution of her resources, and from the change of her councils, she does not seem at all disposed to warfare. That respectable, and universally respected character, the Archduke Charles, after the immortal glory which he has acquired in war, a glory not to be reduced by defeat, now, happily for mankind, seems to consider his best glory to consist in discharging the obligations which he owes to the people, through whose assistance he has been enabled to establish his fame, by endeavouring to secure to them the enjoyment, and studying to promote the advantages, of peace. Such is the employment of this illustrious Prince, and therefore there appears very little probability that Austria will be for some time revisited by the calamities of war. This short review of European powers serves to shew that Russia is the only state to which you can look at present for effective aid; and, independently of this consideration, is it not desirable for you to have the good wishes of mankind? and of that you must be certain, should you obtain the concurrence of the Emperor of Russia in the justice of the cause which has urged you to war. This concurrence would completely satisfy the House and the country; and it would also produce an impression in your favour in the minds of the people and governments of the other states of Europe, which are tribunals that it is for your interest to conciliate; still more, it would induce a good opinion of your cause in the minds of the people, subject to the authority of the French government. In all probability you would, through this concurrence, not only obtain good wishes, but allies. When your cause should be made known, you would, at all events, be certain of the good wishes of the people of Holland, Switzerland, and many parts of Italy; but it may be said that these people could give you no assistance. Under the present circumstances perhaps they could not. The case, however, would be materially different, if you had the co-operation of Russia. In various other points of view it will be advisable for you to avail yourself of this proposed mediation. The consequences of your refusal to give an account (I don't mean that this country is to account for its conduct to any power whatever); but I say, that if you decline to state your case now, you may not be in such a favourable situation again.—The same power may be slow to come forward, and there is no other to which you can refer, because there is none that can or will assist you in checking the aggrandizement of France. Whether Ministers, then, are disposed to peace, or determined on vigorous war, it is their interest to avail themselves of the proposed mediation. If, however, they are of opinion, upon good grounds, that this proposal is a mere expedient to procure delay; if they think that with that view solely this offer of mediation was made in collusion with France, most undoubtedly it ought to be rejected; but this suspicion, I am persuaded, can never have entered into any rational mind. So little are Ministers disposed to think so, and so respectfully do they estimate the character of the Russian government,

that I have no doubt they would have gladly received it, had it been earlier made. Why then should not that proposal be acceptable to terminate a war which would have had a welcome reception at the beginning of it? Russia was one of the guarantees, or rather the principal, you relied upon for the security of Malta against France. This was to have been the solid ground of peace. You have now an opportunity by which, in all likelihood, you may extend that guarantee to the peace and security of Europe. You may now, by wise management, be able to establish a better safeguard for the small states of the continent than you ever can, at least, by your own single exertion in arms. You have, in fact, the best opportunity that has offered for the two last centuries for fixing the tranquillity of Europe on a solid and permanent basis. Combining all the powers specified in the guarantee for Malta, they would be able to keep any individual state within equitable bounds; they would be able to protect the rights and territories of all states from invasion, to prevent the oppression of the smaller states, and to restrain the mischievous spirit of aggrandizement. They would be able to say to the several states of Europe, Let those who have gained not think of any farther extending their gains, and let those who have lost acquiesce in their losses, and let justice and tranquillity prevail. That such a combination of the higher states, directed to such high objects, is desirable, all good men will admit; and that it is practicable I am fully convinced; and an occasion now offers, in which Ministers may have the means of commencing the glorious work. The uneasiness of the minds of the people of every nation at the prospect of war, and the universal abhorrence of injustice, naturally induce an opinion that such a measure would have the benediction of all mankind; and surely humanity and sound policy would equally urge it.—The Hon. Member concluded with moving an address to his Majesty, praying that his Majesty would be graciously pleased to avail himself of the disposition manifested by the Emperor of Russia to mediate between this country and the French government; which disposition might not only lead to the speedy and honourable termination of the present contest, but to produce the most beneficial effects upon the general tranquillity and safety of Europe.

Lord HAWKESBURY rose to object to the motion upon two grounds: first, that there was no fair parliamentary ground laid for its adoption; and secondly, that, as no such ground was laid, the House should not, under the present circumstances, accede to a motion which could not be productive of any good, and might do harm, by betraying indecision. For the constitutional right of the House to interpose its advice upon the exercise of any branch of the Royal prerogative, and particularly as to peace or war, he felt as much respect and regard as the Hon. Gent.; but he contended, that before such interference was attempted, a good case ought to be made out. As the constitution vested certain powers in the Executive Government, the inference naturally was, that those powers were not to be restrained or dictated to by any other branch of the Legislature, but where they appeared to be abused. There were only two cases in which it was the province of any Hon. Member to recommend a measure to the Executive Government: the one where his Majesty's Ministers neglected to do that to which it was their duty to have attended; and the other, where the measure recommended was wholly different from the system which those Ministers pursued. Now, upon neither of those grounds did he think the proposition of the Hon. Gent. could be supported; for however some Gent. might be disposed to censure his Majesty's Ministers, he believed there were scarce any who would charge them with neglecting any means that could be resorted to to preserve peace with honour; and in proof of that disposition, he had only to refer to his Majesty's Declaration, where it was expressed in the strongest terms. Here all Europe might see that his Majesty was even now ready to enter into any arrangement consistent with the dignity of his Crown, and the essential interests of his people. He would ask, what could be the motive of such an appeal, but to shew the sincerity of his Majesty's wishes for the restoration of peace? And after such an appeal, he would ask also, was it possible that any Minister would advise his Majesty to refuse any mediation that was likely to produce acceptable terms of peace? With respect to the Hon. Gent.'s observations on the general state of Europe, he was not at all disposed to differ with him; but as to the practicability of the coalition he had described, he could not by any means agree with him, and the experience of the last ten years forbid any hope of such a league acting long and steadily in concert for such an object. Though such a concert, he would readily admit, was in the highest degree desirable—a concert not to be fettered or damped by little confined views, or by separate interests, but proceeding on fair, broad, and liberal grounds, yet he was not sanguine in his hope of witnessing it. He was aware that Russia was the power which it was most for the interest of this country to conciliate, with a view to avert the evils and to produce the good to which the Hon. Gent. had alluded; and without wishing to provoke any dissension upon this occasion, he would say, that one of the reasons he had for acceding to the last peace was, that during peace there might be an opportunity of procuring some continental alliance, of which there could be no hope during war, and which would serve to fix a barrier to the career of

aggrandizement to which the French government was manifestly disposed; but notwithstanding this wish, he could state with the utmost sincerity, that he never omitted any endeavour that could tend to preserve the peace inviolate: his endeavours with regard to an alliance were merely for a concert of a defensive nature, such as the Hon. Gent. had referred to in a part of his observations: that alone was his object, and with no view whatever to renew the war. However little might be the disposition of some parties to do justice to Ministers, he hoped this at least, they would acknowledge that nothing was omitted to preserve that peace; and he saw no change in the state of things that could induce him at all to calculate upon the probability of its restoration from the adoption of the motion. There was nothing feasible in the proposition alluded to by the Hon. Gent. He had stated, that it would have been gladly received by Ministers at any period of the negotiation. What, in point of fact, was this proposal? Why, that if any difficulty arose between the British and French governments, in the communication of their sentiments to each other, that the Russian Ambassadors at Paris and London should facilitate that communication, and that they might he made the mediums of explanation. Now, he would ask of the House, after the very protracted negotiation they had witnessed, after the state of anxiety in which they had known the country to have been placed, whether Ministers would have been justifiable in consenting to any farther delay, where no mediation likely to be effective had been offered. That the French government should have expressed its willingness to avail itself of the mode of communication proposed, was not to be wondered at, as, had this country consented, it would have afforded the means for continuing for some time longer that system of evasion and procrastination which the papers on the table sufficiently exposed, and which seemed to be the policy of that government to pursue.—The Hon. Gent. had stated the advantages to be derived from the mediation of Russia, not only with reference to the particular case of the points in dispute betwixt this country and the French republic, but with a view to the establishment of a general guarantee for the protection of all the weaker states of Europe. With this opinion he most distinctly coincided. Of the importance of the mediation of Russia, no man, possessing enlarged views of national policy, could for a moment entertain a doubt. If such a mediation could be procured, it would not be contended by any one that it would not be peculiarly advantageous. An allusion had been made to the system of naval neutrality which had been set up by the Northern powers. He had much satisfaction in stating to the House, that with the great majority of reflecting individuals in Russia, and particularly with the individuals composing the government, a more wise system of policy was now pursued. Views of an enlarged and comprehensive nature were indulged. It was allowed that the interests of this country and of Russia were in every point of view compatible: a decided opinion was formed, that no useful purpose could be promoted by pressing the neutral question. The fact was, indeed, that this question was brought forward under the reign of the late Empress, in whose character the pride and the vanity of being at the head of a coalition, operated more powerfully than any considerations of real and permanent utility to her empire. It could not be forgotten that Russia possessed no mercantile marine, and that if the present relations of the Turkish empire continued, a mercantile marine never could, to any great extent, be formed. The only consequence of the establishment of the neutrality to be contended for, would therefore be to introduce into the Baltic, powers whose influence it was the obvious interest of Russia to counteract. He could not too strongly press on the House his conviction of the extreme importance of the co-operation of Russia in any plan to counteract the progress of French ambition; and he could fairly assure the House, that any measure calculated to promote this object was one which would meet with the warmest concurrence from Ministers. His objection to the Hon. Gent.'s motion was, however, simply, that it had been supported on no parliamentary ground. It had not been proved that Ministers had shewn any indisposition to accept of this mediation; and till this were proved, he must contend that the motion was unnecessary and inexpedient. In the conclusion of his Majesty's Declaration, on the contrary, a disposition to accept of any arrangement by which an amicable adjustment could be obtained, was clearly laid down; and after such a declaration, he could not see what beneficial consequence could arise from pressing the motion. On the other hand, it might have a very unfavourable effect on the state of the public mind; it might unhinge the exertions of the country, and lead to expectations which were not to be realized. He would not say that the hope of mediation was altogether romantic, but he would contend that hopes ought not to be held out to the country which might be disappointed. These were the grounds on which he objected to the motion. To the principles of the Hon. Gent.'s speech he had no possible objection—they were principles in which all were agreed. As it now stood, however, the motion could be productive of no good, and might be attended with considerable evil. He should therefore, as the most convenient way of disposing of it, move the previous question.

Mr. PITT.—In rising upon this occasion, it is not my intention to detain the House many moments. In the present important crisis of

affairs, I am sure there must be a common wish and a general feeling that it is not desirable to press into view any differences, or to press the House to any division upon topics of minor importance. Whatever I may think of the Hon. Gent.'s proposal as a motion of advice in the actual circumstances, with most, nay, I may say with all, of the general principles of the speech on which it was grounded, I most heartily concur. I heard, indeed, the speech of the Hon. Gent. with infinite satisfaction; and that satisfaction was heightened by observing, that my Noble Friend, the Secretary of State, received the sentiments with that approbation which left no doubt on my mind, that, if any effect can be given to those principles (and it belongs to the Executive Government, in the first instance, to give them application), no favourable opportunity will be lost of putting them in practice. It would be strange, however, if I had not heard with approbation the principles laid down by the Hon. Gent. They are the principles which, in the best times of this country, induced and enabled this House to contribute to the general liberty and independence of Europe; to support the rights and redress the wrongs of minor powers, and to oppose a successful resistance to the encroachments of ambition. They are the principles which (more than any passionate and national opposition to France, proved, as France has been by so many facts, to be the rival and almost the national enemy of this country) led us not to consider the name of any particular state, or the prejudices of local situation, or the dictates of separate interest, but prompted us to set ourselves in opposition to any power, both as, in the first instance, it threatened the repose and the rights of other states; and, in the second, as it affected the independence and security of Great Britain. I rejoice to be able, on this occasion, to agree with the Hon. Gent. in his general principles, though I cannot but remember there have been times when the Hon. Gent. differed from me, on the application of those principles, with a vehemence that looked very like an entire condemnation of them. If, however, he does admit the principles, I rejoice, for the sake of the country, that he has stated them in a manner so clear, so just, and so satisfactory. They are the principles on which the greatness, the glory, and the prosperity of this nation have been reared; and never were they struggled for more gloriously than they were during the last war: and it was only when I saw myself compelled, by adverse circumstances, to despair of the effect of their application, that I looked to any separate arrangements for this country. They are the principles upon which I found myself justified in proposing to this House large subsidies to continental powers; they are the principles on which I have thought that it was justifiable to sacrifice our private and separate interests to procure greater advantages for our allies, and to promote and consolidate the security of the general system of Europe; they are the principles that supported me when I found myself obliged to differ from several friends, for whose talents and opinions I entertain the highest respect, about the manner in which the war was terminated. It was those principles which, after there was no longer any hope of improving the situation of the continent, and promoting the security of the general system of Europe, by any separate efforts of our own, led me to think, that in making terms for ourselves, we were more at liberty to yield considerable sacrifices, with a view to put an end to the evils of war, than we should have been had we sought peace by the desertion of our allies, and an abandonment of the cause of Europe.—But far be it from me to enter upon those topics to call forth difference of opinion, and to provoke former disputes. I allude to them to shew that the principles I now applaud are not new to me. My approbation of them is recorded in my past conduct. I am glad that the Hon. Gent. has proclaimed them with so much precision and force: I hope they will have the benefit of his great authority, and the recommendation of his great talents (and greater authority they cannot have), to remove objections which have sheltered themselves, perhaps more than there was ground for, under his name, against all common cause with the rest of Europe, and against sacrificing, in any circumstances, the least portion of British interests, for the balance and preservation of the continent. But, while I approve the principle of keeping a watchful eye upon the state of the continent, I do not mean that, on every occasion, upon every movement, we ought to interfere with continental affairs. All I say is, that no great convulsion, which shall unhinge the established interests, and dissolve former relations, can take place without involving consequences highly important to Great Britain. We are not bound, however, to take upon ourselves to interfere, even when interference would be desirable, unless we are joined by those whose co-operation would be necessary to give effect to that interference. But whether for a season of war or of peace—whether in the view of giving energy to our arms, or security to our repose—whether with a view of preventing war by negotiation, or restoring peace after war has broken out, it is the duty of the Ministers of this country to avail themselves of the good offices of powers with whom it must be the interest of this country to be united in alliance.—The Hon. Gent. very properly avoided detailing any mode in which the principles he laid down might be applied to the mediation of Russia. Indeed, it is impossible to point ont the mode of application, without knowing exactly the circumstances in which it would be exerted. I shall therefore, upon the whole, follow the Hon. Gent.'s ex-

ample in avoiding that detail. It will appear whimsical, however, if I now seem to narrow the principle of continental policy, which the Hon. Gent. has sanctioned. This, nevertheless, I venture to state, that if there can arise out of the mediation of the Emperor of Russia, any chance of producing a general system on which peace could be restored, and confirmed by respectable guarantees—a peace by which not only the objects in dispute between Great Britain and France, but other points relative to the state of Europe, could be adjusted—it would be a consummation so important, that, to obtain it, some arrangement, even less advantageous to this country in a separate view, would be admissible. What that arrangement should be, either as to the general system or our particular interest, it is impossible beforehand to determine: it will depend upon all the circumstances of the case.—On the other hand, if that system were not attainable, our interest would prescribe other views and other precautions. Though unwilling to separate ourselves from the continent, though willing to make some deduction from the sum of our own demands, and from the means of separate security to augment the strength of the general system, it might happen that we should be left, without any fault of our own, to maintain a separate struggle. If we know that France entertains views of hostility towards us—if we know that we have in our hands strong and impregnable means of resistance—powerful and effectual means to defeat that hostility with which we have been particularly threatened, then would it be especially incumbent on us to provide, that any substitute for our security, which a general arrangement would afford, should be solid and efficient. If our security is to depend upon our own single efforts, and to be maintained by our own separate arrangements, we have in our power the means; nor shall we put to hazard by a feeble policy what British valour has gained. To consolidate our security by the general security of Europe, is undoubtedly desirable; as well as to provide for it by particular and separate arrangements. To unite both in their respective degrees, must be that which is most desirable; but how far each will be carried must be regulated by circumstances. So much I thought it necessary to hint, that we may not be turned into the opposite extremes of, on the one hand, neglecting the state of the continent altogether, as conducive to our security; and, on the other, that we may not look to any continental arrangements with such confidence as to slacken our efforts, and to abandon our separate means of vindicating our rights, and preserving by war that security to which we are entitled; unless, like most of the states of the continent, we are ready to sink into subjection to the power of the aggressions and outrages of which we complain.—So much upon the general principles laid down by the Hon. Gent. the justice of which I so strongly feel. Nevertheless, unless some practicable benefit is to be derived from pressing the motion, I hope the Hon. Gent. will be inclined to withdraw it. To press it to a division at the present moment, would be attended with one of two inconveniences: either the previous question would be carried, by which there might be room for the misconstruction that one part of the House was hostile to the principles on which the Hon. Gent. argued; or, on the other hand, if the motion were carried, it would imply a doubt that the House entertained a suspicion that Ministers did not concur in the principles so well laid down in the Hon. Gent.'s speech, and were unwilling to give them effect; a suspicion for which, after what has been said by my Noble Friend, the Secretary of State, there appears no foundation. I therefore hope that the Hon. Gent. will rescue the House from this dilemma, by withdrawing his motion.

Mr. Fox, in reply, contended that he opposed the late war on precisely the same principles which he had this evening thought it his duty to state to the House. He opposed it at the commencement, because he foresaw that its prosecution would only have the effect of destroying the influence of this country on the continent. Throughout the course, he only saw additional proofs of the correctness of that opinion. The Rt. Hon. Gent. had himself allowed that he was friendly to the peace, on the precise ground that the further prosecution of the war would not have held out a prospect of producing any change in the unsatisfactory state of the continent. Without assuming to himself any peculiar degree of credit for superior sagacity, he might be permitted to say that he had, at a much earlier period, foreseen what the Rt. Hon. Gent. had at length admitted. On the same principle he had supported the treaty of peace, not as good in itself, but as preferable to a continuance of the war. He did not at all mean to revive the remembrance of points of former dispute, which were now happily passed over, but these few observations he felt himself called on to state to the House. With respect to the question immediately before the House, it was necessary for him only to say a few words, having previously stated the grounds of his motion. He did not mean to dispute the right of the Executive Government to decide, in the first instance, on the question of peace or war. He was not, however, at all disposed to admit the position, that no Member of the House of Commons had a right to call in question the propriety of the exercise of this right, till some proof of the existence of criminality or neglect on the part of Ministers was established. He did not, by bringing forward the motion, charge Ministers with having neglected to take pro-

per measures for the preservation of peace, but, at the same time, a motion of the nature which he had brought forward might be highly necessary. It was, he believed, pretty notorious that an offer of mediation had been made by the court of Russia. It was not, however, at all equally notorious, that this offer of mediation had been accepted, or was likely to be accepted. He had no wish to press his motion to a division, if the information he wished to receive could be otherwise obtained. If it could be stated by Ministers that there was, at this moment, a disposition to accept of the mediation of Russia, he had no sort of objection to withdraw his motion. Something had been said about the effect which the motion would have in unhinging the public mind. He was at a loss to conceive how such an assertion could be seriously urged: he really confessed himself at a loss to see how such an effect could be produced. He could not imagine why attempts to negotiate at the time a war was commenced, could at all paralyze the exertions of the country. He was only anxious to press the motion, because from the mediation of Russia he entertained the most sanguine hopes that the war in which we were engaged would be speedily terminated. The Noble Lord had said, that the mediation offered was merely an offer of the explanation of the Russian Ambassador, relative to the points in dispute betwixt the two governments. He would not deny that this was the lowest species of mediation, but it still might be productive of important consequences, and might lead to a mediation of a more important kind. He pressed his motion now, because if the offer of a mediation were not now accepted, the advantages which might result from it would be lost, and it would be no satisfaction to any Member then to ask Ministers why they had not accepted the offer, when the consequences of their refusal could not be repaired. In this case the evil would be positively felt, which, by a timely interference on the part of the House, might have been avoided. Unless, therefore, he received a more distinct assurance from Ministers of their readiness to accept of the mediation, he should, however unwilling to disturb the unanimity which was so desirable, feel it his duty to press the motion.

Lord HAWKESBURY stated what was the nature of the mediation offered by Russia. The fact was, that the impression on the mind of the Emperor Alexander was, that there was a certain degree of reluctance on the part of the two governments to explain distinctly the points of mutual dispute. It had accordingly been proposed, that the Russian Ministers at London and Paris should interpose their good offices for procuring this explanation. A desire was also expressed of the willingness of the Emperor to do all in his power to facilitate an amicable adjustment of the differences betwixt the two governments. At the time this offer was made, Lord Whitworth was on the eve of quitting Paris; and looking, therefore, to an immediate termination of the discussions, the offer was by far too loose and too general, in the judgment of Ministers, to be then adopted. At the same time Ministers did not conceal from the court of St. Petersburgh, and they were as little desirous of concealing from the House, that with reference not only to the particular points in dispute betwixt the two governments, but with reference to the establishment of a guarantee for the general independence and security of Europe, they were ready to accept of the mediation of Russia. On this ground they had not only expressed their willingness to receive any proposition from the court of St. Petersburgh, but they had gone much beyond this assurance. They had declared their readiness to explain, in the most frank and explicit terms, the views which they entertained on the points in dispute, and the mode which to them appeared the best calculated to bring about an amicable arrangement. No question of etiquette would stand in the way; the whole declaration of Ministers had been given in the true spirit of peace. In aid of his Majesty's Declaration, an express assurance was given of his readiness to listen to any proposal for restoring the blessings of peace; and he had now to assure the Hon. Gent. and the House, that Ministers were ready to receive any offer of mediation on the part of Russia, or to offer to the mediation of this power the points in dispute betwixt the two governments.

HOUSE OF LORDS.

Thursday, June 2.—(See Minutes, p. 869.)

[CONDUCT OF MINISTERS.]—Earl FITZWILLIAM, in the course of the various observations he made, as introductory to his proposed resolutions, adverted to the solemnity and importance of the questions which their Lordships were that night to decide. He, in common with those who heard him, must be apprized of the respectable character of those against whom he was about to state grounds for the disapprobation of that House, as Ministers. The task he had undertaken was painful; he was guided by no personal motives, but came forward upon public grounds, and under strong impressions of his parliamentary duty. The subject which he brought forward to the consideration of their Lordships, was not the act of his Majesty's Ministers upon any one day, nor their conduct at any given particular period singly, but the general tenour and uniform character of their proceedings for a very important time. He should have particularly to notice their

conduct, not only since the conclusion of the treaty of Amiens, but from the signing of the preliminaries. In this view of the question, the Noble Earl proceeded to argue, that many of the acts of the French government, in the interval alluded to, were of the precise character and description of those acts which Ministers afterwards thought worthy of specific remonstrance and negotiation, and at a period when such proceedings could not obtain with that effect as if they had been taken up in the first instance. Among the instances stated by his Lordship of the unjustifiable and aggressive conduct of the French at these periods, were their proceedings with respect to several parts of Italy, where, with the most unprincipled audacity, they dismembered ancient nations, and annexed their spoliated territories. Why did not Ministers shew some indications of wisdom or of spirit by an interference on these occasions? Why was not so extensive an aggrandizement of the French territory and power resisted by his Majesty's government? So early as the month of February in that year, was the basis agreed upon between the two governments infringed upon and disregarded by France. Adverting to a more advanced period, he observed, that scarcely had the first months of peace elapsed, before the French made additional annexations to their territory: the countries of Parma, &c. were taken possession of. In this part of his speech, his Lordship referred to memorandums for the dates of the periods in which the French had taken possession of different parts of Italy, until they became possessed of the greater or more valuable part of that peninsula: in short, if that country could not be considered as an integral part of France, it must be considered in the light of a province. On these occasions, he contended, Ministers should have stepped forward, and at least done that which afterwards they found themselves constrained to do, but at a period when it was impossible they could act with such advantage or effect. He next adverted to the affairs of Switzerland: by the information laid before Parliament, he said it appeared, that the conduct of Ministers with respect to the Cape was guided by their sense of the transactions which had taken place in Switzerland. If not, it would be incumbent upon them to state the grounds upon which so extraordinary a line of conduct proceeded. He then referred to the papers upon the table for the dates, &c. of particular proceedings which took place in the course of those transactions. He next alluded to the mission of Mr. Moore, which he contended was at a period when it was well known the interference of Ministers could be of no avail. He then noticed the admitted acts of aggression and injustice which had been exercised by the French against the subjects of this country, and which were in open violation of express treaty, and contended, that in scarcely any one instance had justice been done to the representations on our part. Passing on to the affair on which so much stress had been laid, namely, that of Malta, he observed, that on this occasion it was that Ministers first appeared to manifest any degree of spirit or resolution, which former instances more loudly called for, and where a spirited interference could have been made with much more grace and effect. He made frequent references, and read copious extracts from the papers while discussing this part of his subject, and argued, that Ministers must have been long before aware of the intentions of the First Consul with respect to Egypt, and before any specific communications took place relative to the island of Malta; but that was the only point upon which Ministers seemed to call for decisive explanation. They at length called upon the spirit of the country for support, in a case in which, comparatively, there existed no adequate grounds, when they passed by the innumerable acts of violence and aggression on the part of France, without one decisive interference, or call upon the country for its support in resisting them. He censured the line of conduct adopted by Ministers with respect to the termination of those transactions, as well as the mode and period in which they came forward to Parliament and the country. Circumstances had shewn that their boasted treaty of peace was only a temporary truce, and that Ministers had withheld all due knowledge and information from Parliament and the country, at periods when those were necessary, and might have been attended with the most desirable consequences. It was upon these general grounds that he had to call upon their Lordships, in vindication of their own honour, and in contemplation of the best interests of the country, to adopt resolutions expressive of their just sense of the weak, impolitic, and disgraceful conduct of Ministers in the points to which he had adverted. He could not avoid pressing to their consideration, that now the country being, in consequence of the measures of those Ministers, again in a state of war, if they desired the assistance or co-operation of other nations, or wished their country to be respected abroad, the affairs of government must be administered by men of acknowledged talent, in whom the country could safely confide, and who, in return, could fairly call upon the country for its exertions and support.

The Earl of LIMERICK said, that on a former night it was proposed to consider the necessity and justice of the war, as a subject distinct from the conduct of his Majesty's Ministers. For his part he could not separate those considerations, so closely were they linked and interwoven. He entertained no doubt of being able to shew from the speech of the Noble Earl himself, that the conduct of his Majesty's Ministers had been guided by moderation, as

long as they thought peace could be preserved; and when they could no longer preserve peace consistently with the honour of their Sovereign, or the true interest of their country, they acted with becoming spirit and decision; that they endeavoured to raise the dormant spirit of Europe, and finally recurred to that line of conduct which a long series of insults and aggressions on the part of the enemy had rendered necessary. The substance of the first resolution, he conceived to be, that since the treaty of peace, a series of insults and aggressions was experienced by this country from France, and that from a number of those acts, a disposition had become manifest, on the part of the French government, to violate the treaty of peace. The next resolution went to complain of Ministers for not having from time to time communicated those acts of aggression, the correspondence, &c. to Parliament. If Ministers had followed such a course, it would be a dereliction of their duty; nay, it would be an infringement of the constitution of their country. The prerogative of the Crown was too well known to require exposition: to have recourse, therefore, to Parliament in the way alluded to, would be to convert both branches of the Legislature into cabinets. It would go, in a great degree, to exonerate Ministers from their responsibility, and share it between them and both Houses of Parliament, and ultimately, the Great Council of the Nation could not punish for acts which it had repeatedly sanctioned. It was asserted in another of the resolutions, that Ministers made no representations against those acts of the French government; but let their Lordships look to the correspondence, and they will be convinced of the contrary. The conduct of Ministers might be divided into three periods: the first, that which immediately succeeded the definitive treaty of peace; in that they endeavoured most scrupulously to fulfil all its conditions, and to secure to their country and to Europe the blessings of peace. The second was, that at which they laudably endeavoured to rescue Switzerland from its impending fate; and on this point, what could, or what should Ministers do, but precisely what they did? They dispatched a person to learn first, whether the Swiss were disposed to resist; secondly, the extent of their power; and lastly, the dispositions of those continental powers more intimately connected with that country. There were two parties, who disapproved of the conduct of Ministers: the one thought they had unnecessarily forced the country into the war; the other, that war ought to have been made long since: for his part he disagreed with both. Ministers had chosen the moment to act with spirit, when it was impossible to refrain from war. Previous to this, their conduct was such, as tended to give every facility to the execution of the treaty; they endured, for a considerable time, the aggressive conduct of the French government, in its insolent attempts against that great palladium of the liberties of the country, namely, the freedom of the press, and in the cruel demand respecting the Bourbon family, and the train of virtuous nobles who preferred sharing their fortune and their fate; and ecclesiastics who had resisted the proffers held out to them, sooner than violate their consciences and their oaths. At the moment these insolent requisitions were made, self-convicted and avowed traitors were openly protected and cherished by the French government; men who had plunged their daggers into the bosoms of their unoffending countrymen. It would appear, he observed, that there were other causes for ordering the evacuation of the Cape to be suspended, than the affairs of Switzerland. About the period the counter-orders were sent out, there was an apparent intention on the part of France, to pour a great number of troops into Holland, under the pretence of securing its independence, but, in fact, to abrogate the little remnant of its independence which then existed. Were the cession made under such circumstances, though nominally to Holland, it would in effect be to France. About that period it appeared Ministers had received intelligence of a design formed by the accommodating father of the Western family, who had made overtures to Russia, &c. respecting a partition of the Turkish empire. In this project the First Consul intended to secure Egypt for himself, and the Morea was to be erected into an independent republic. This proposition was not acceded to; however, Ministers very properly required explanation: about this time they came to the knowledge of Sebastiani's mission, of which an official report had been published. He then adverted to another aggression manifested by the French government—the publication which the French agent, Reinhard, caused to take place at Hamburgh, which he reprobated as a foul and aggravated libel on his Majesty's government. There could be no palliation for this outrageous proceeding, for Reinhard was long employed in proceedings of the kind, and he knew that Ireland was not exempt from the effects of his manœuvres. Soon after this, the well-known insult at the Thuilleries took place: this was deliberately designed, under the idea of sinking this government in the eyes of Europe. The intentions of the First Consul with respect to Egypt, were soon after avowed. Let their Lordships recollect the language of Talleyrand, that the refusal to evacuate Malta would be considered as a renewal of war; that England should not retain any thing in the Mediterranean; that not a sail of theirs should swim upon that sea, nor should she have a port therein to receive them. With respect to the references to Russia, it must be obvious to the meanest capacity, that their object was to gain time, in order to recall their scattered commerce and their ships of war. He trusted the resolutions of the Noble Earl

would be negatived, and expressed his hope that some Noble Lord, more competent to the task than he was, would bring forward some resolution, expressive of their Lordships' approbation of the conduct of Ministers.

Lord GROSVENOR said, that with regard to the first resolution, he thought it would be better to move the previous question; but as to the others, he trusted that he concurred with a majority of the House in thinking that they ought to be negatived. The Noble Lord had preferred a series of charges against his Majesty's Ministers, and if his motion was agreed to, an impeachment against Ministers ought to follow. He wished the House to recall to its recollection the time and the circumstances under which the present Administration were called into office: it was at a period of great danger and difficulty. The House would also recollect, that it had distinctly approved of the convention with the Northern powers—it had approved of the preliminary and of the definitive treaties of peace. It was therefore fair, when they were called upon to vote a censure against Ministers, to bear in mind how much of their conduct had already received the approbation of the House. If Ministers had lost the confidence of Parliament, or of the people, they ought not to retain their situation; but he saw no reason for believing that they had lost the confidence of the people of this country, or of foreign powers. The Noble Earl who moved the resolutions had entertained opinions about the peace different from those of a very large majority of that House, and of the country. The Noble Lord had complained that Ministers had not resisted the first insults and aggressions on the part of France. It was undoubtedly true, that if they had been disposed to go to war, the conduct of France had afforded them many justifications, in the annexation of Piedmont, Parma, Placentia, Elba, &c, to the French republic. But if Ministers had acted upon these provocations, if they had immediately plunged the country into a war, would they have given the experiment which had been made of a peace, a fair trial? Another charge against Ministers was, they had not made earlier communications of the hostile dispositions of France; but if they were anxious to preserve peace, a premature communication to Parliament was perhaps the only mean to render it impossible. The earnest wish of this country, and all Europe, was to maintain peace: it was Buonaparté, and Buonaparté alone, that wished for war. He certainly did not believe that the people of France were desirous of war, but they were forced into it by the ambition of their ruler: he hoped, however, they would throw off a yoke which was now so galling. In saying this he did not wish any thing personally hostile to the First Consul; he only wished him removed from his situation, because he believed that would afford the only chance of peace.

Lord DARNLEY said, that however high he respected the individuals who composed the administration, yet collectively, it was his duty to say that he disapproved their conduct. He considered that the occupation of the Italian republic, Piedmont, Parma, and Switzerland, by France, were every one of them objects deserving a decided interference on the part of the British Cabinet. He thought, that if a tone of proper firmness had been held by his Majesty's Ministers on these several occasions, we should either have had no occasion to go to war at all, or the war would have been entered into with much greater advantage than we now have. He was of opinion that the Ministers have made out a strong cause for war, but have not equally proved their own ability for the conducting it.

Lord BORINGDON said, that occasions had occurred in which Ministers would have been justified in calling upon Parliament to take the measures they were now recommending, but in acting in the manner they had, that they had displayed great moderation and wisdom. It was true that France had been guilty of many acts of aggression and insult against us, and against all Europe; but previous to the grand question about Malta, he did not think there was any point upon which the country would have gone heart and hand into a war.

Lord WESTMORELAND called upon the House to look at the whole of the conduct of Ministers since they came into office, and by that they wished to be tried. Their conduct when they first came into office, did not tend to weaken the exertions of our naval and military force; and in proof of this assertion, he need only refer to what had passed at Copenhagen, in the Straits of Gibraltar, and in Egypt. If they were to be judged by the convention with the Northern powers, he could only say, that upon that subject they had received the decided approbation of Parliament. With respect to the preliminary treaty of peace, upon that point also they had received the approbation of Parliament, and of a Rt. Hon. Gent. under whose support they were proud to shelter themselves.—It had been said, that when peace was made, assurances were held out, that every thing was to be amity and friendship. If Noble Lords would look to the address which was voted upon that occasion, they would find that it contained very different language. That Government was sincere in its wish for peace, was proved by their conduct after the signature of the definitive treaty; they disbanded 70,000 militia, 20,000 fencibles, and as great a number of other troops, foreign and

English, who were engaged for a limited time; and every seaman that come home was immediately discharged. It had been asked, why, if France had shewn a hostile disposition, they had evacuated the Cape and other places? He said, that Government would not have been justified in refusing to evacuate the Cape, &c. which they were bound to evacuate by the treaty; and it would not have been very prudent then to have gone to war with a reduced army and navy. With regard to Switzerland, Ministers had interfered, and prevented the union of Switzerland with France, as the Italian republic had been united to it. Though he thought the Cape a very important place, he did not think it would be worth while risking a war for it, as he entertained no apprehensions of any attack that could be made upon our Indian possessions, as we had in India a native force of 100,000 well-disciplined men, besides 20,000 Europeans. It had been asserted that facts did not warrant the assertion in the King's message of the 8th of March respecting the armaments in the French and Dutch ports. There was, at this time, a naval force in the Texel, and 8000 men who were to be conveyed to Louisiana; the armament that could convey such a force to such a distance, could convey nearly three times the number across the Channel: there were other preparations in Havre, in Dunkirk, in Brest, and in the Mediterranean, capable in the whole of conveying a force of 50,000 men; so that there was ample justification for that part of the message.

Lord MULGRAVE said that all must be convinced, that there were three great objects of ambition which actuated the French government: the first was, to destroy the power and resources of this country in India; the next, to exclude our manufactures and our commerce from every port in Europe; and the third, resulting from the attainment of the other two, the destruction of the independence and prosperity of this great and immortal nation. These purposes had constantly been the objects of the French government, whether in war or in peace; and that these were still the objects of that government we must well be convinced, from the warnings which had fortunately been given to us. He would not go at length into the consideration of the various acts of hostility committed by France. The intention of France to invade this country had been fully explained. The instructions given to the persons called commercial commissioners, sent to this country, was of itself a sufficient explanation of that purpose. They had been told from good authority, that the war might probably be a short one; he was glad of it. He thought every discussion was impolitic which went to turn aside the attention of the people, which went to divert the high spirit and energies of the nation from the grand object of the aggressions of the enemy. It behoved the honour of the House, and it was important to the safety and security of this country, that they ought not to be discussing who should take measures for the defence of the country at the period when they should be discussing whether those measures ought to be taken. For these reasons he did not think that either the original motion, or the previous question, ought to be discussed; and he should therefore move, that the House do now adjourn.

The Earl of CARLISLE said, that every person must wish that Ministers should answer the charges which had been brought against them. They were told this was not the time to inquire into their conduct, but they had been told during a period of war, that that was not the time, in peace it was not the time; he should like to know when was the time to make that inquiry. On the contrary, it was their duty to inquire; and if they did not approve of the conduct of his Majesty's Ministers, it was their duty to address his Majesty, praying, that he would be graciously pleased to admit to his councils more of the talents of the country. He charged Ministers with not possessing those talents which were necessary for the carrying into effect the measures required for the prosecution of the contest in which we were engaged. With respect to the absence of all communication to Parliament, respecting the dispute between this country and France, there never was a period pregnant with so much danger, in which his Majesty's speech, at the commencement of a session like the present, had afforded so little information. Much had been urged on the subjects of Piedmont and Switzerland, and several other topics which had never been satisfactorily explained by Ministers; and now when they looked at his Majesty's Declaration, they found that those topics were urged with even greater force than had been before applied to them, yet no information was given to Parliament upon these subjects; on the contrary, Ministers had continually held out hopes of a permanent peace, and had talked of profound peace, when they knew that the country was on the verge of war. Could they say, that at those periods when they promised profound peace they believed in its continuance? Could they say so, when they had sent Mr. Moore to Switzerland to make war, and particularly when that mission was coupled with an order sent out for the non-evacuation of the Cape of Good Hope, which would have been a palpable violation of the treaty of Amiens? With respect to the general conduct of Ministers since the peace, it might be called moderate, but it appeared to him to be low and humble; and with respect to the French Princes, a low and humble tone had been assumed, which was extremely unbecoming, whilst a sentiment was attributed to

his Majesty on the subject, which he was sure never entered into the mind of his Majesty. When the commercial commissioners were sent to this country, and their object was discovered, Ministers ought to have sent a remonstrance that would have made the Thuilleries shake. It was certainly true that Ministers had no desire to go to war, as it was evident from the documents before the House, that they had no such desire. He did not deny the good intentions of his Majesty's Ministers, but they had not firmness adequate to encounter the perilous crisis to which we were now brought.

The Earl of CAERNARVON said, that he was perfectly convinced, that those people in general who are the best judges, and whose good opinions were therefore most desirable, had not a confidence in the present Administration. He would request their Lordships seriously to consider what might be the consequences which might arise from a distrust or a contempt, on the part of the public, towards an administration. For himself, he had no hesitation in declaring that he had no confidence in Ministers. He respected their personal characters; some of them were particularly deserving of esteem; but in a public view of them, taken as a body, he must entertain a different opinion. They had, after making an inglorious peace, a peace of sacrifices, a disgraceful peace, assured the country of the great probability of its continuance. And then, after a short delusive repose, they came down to Parliament to inform them, that during that interval, when they had been proclaiming the duration of peace, they had been receiving nothing but a series of encroachments, hostile acts, aggressive provocations, and insults! Was this to be the fruits of their boasted peace, upon the grand experiment of which they reconciled the people to the surrender of all their victories? By the statement they had laid on the table, that state of peace which they had prepared for us by the improvident treaty of Amiens, was, in fact, no peace at all; a peace of trouble, a peace of war! The conduct of his Majesty's Ministers, therefore, loudly called for censure. They had, he was sorry to say, given evident proofs of an incapacity for their high and trying situations. He must speak out: they are not qualified for the management of the state in these times. The want of abilities in such great stations was a state crime; when men, by an error, got into such places, and then, by presumption, remained in them, after repeated proofs of their incapacity, they were highly culpable. The opinion of the public could not be forced by Parliament; and that public opinion, he would venture to say, was decidedly against the capability of Ministers. For his own part, he could not tell how to consent to draw forth the last dregs of comfort to aid the resources of this country in the present arduous war, while such want of talent was to be intrusted with its direction. However he must feel the propriety and probable necessity of contributing to the utmost for the support of Government, he must say that the support of those who conducted the government, as connected with the general object, was greatly against his inclination. The House should recollect, as had been already said, upon the events of this war would depend whether we should have another to conduct.

Lord ELLENBOROUGH said, he could not bear to hear the capacity of Ministers arraigned by the incapable, or their want of knowledge impeached by those who knew nothing. At the time that the present Administration came into power, dark clouds were thickening every hour around us, and he believed no man who did not possess firmness, would have accepted of offices at that period, when, added to our foreign enemies, there were still existing the smoking embers of an unextinguished rebellion. During that administration, our glorious success in Egypt took place, the honour of the country was supported in every quarter of the world. The nation, exhausted by a long war, called for peace; the peace was made, and was approved of both by the Parliament and the people. The peace was an experiment that it was fit and proper to make; and he was one who thought the experiment would have been more successful. He denied that the peace was a fraud; it was a scandal on the nation to call it a fraud. With respect to the conduct of Ministers previous to the present war, which had been already approved of, he contended that the several other hostile acts were not adequate causes for war, until the country saw that considerable efforts had been made to preserve peace, and that those efforts had failed. He did not mean to say that they were not adequate causes in themselves, but they were not justifiable causes under the circumstances of the case. It had been asked, why did not Ministers communicate to Parliament the situation of affairs between the two countries? but he asked any Noble Lord to lay his hand upon any paper, and to say, that that ought to have been communicated by his Majesty's Ministers to Parliament, pending a negotiation which involved the question of peace or war. The Ministers would, indeed, have deserved the charge of want of firmness, if they had come down to Parliament upon every point of the negotiation, instead of waiting till they could communicate the final result. He trusted, therefore, the House would shew, by its decision, that Ministers ought to have that credit and confidence which they had so well deserved by their conduct.

Earl SPENCER disclaimed any personal motives in the opposition he thought it his duty to make to Ministers. He entertained great regard and respect for them as individuals, but the situation of the country required that he should look with suspicion to their conduct as Ministers. In considering the conduct of Ministers, it would be necessary to take a view of their proceedings both before and after the treaty of peace. When that subject was first discussed in Parliament, his Majesty's Ministers boasted of the security of the peace, and to the pledge of its continuance which they had given by their assertions the country was indebted for many of the inconveniences under which it now laboured. It had been said that Ministers would not have run rashly into war, for their popularity depended on the preservation of peace. He acknowledged the truth of this; but he would ask whether it was not probable that this strong desire for peace on the part of his Majesty's Ministers might not render them less attentive to the terms on which it was preserved. It had also been contended that Ministers were driven into the peace by the universal call of the country. He must, however, beg of their Lordships to recollect what was the state of the public mind at that time: never was there less clamour for peace, and the intelligence of its being agreed upon astonished every one. It was true the approbation given to the peace by their Lordships was nearly unanimous; but let the Noble Lord recollect what was the ground of that unanimity. It could not be that the country wished to have peace on any terms: No. The approbation was given on the ground that there was no doubt of its permanency. It was given in consequence of the strong assurances made by Ministers of the certainty of the long duration of peace, in consequence of a change which they said had taken place in the temper and disposition of the enemy; but how far Ministers were authorized in making that assertion, their Lordships would be better able to judge if they were made acquainted with what passed during the negotiation. It had, from time immemorial, been the practice of the British government to inform Parliament in his Majesty's speech at the commencement of every session, of the situation of public affairs, as they respected foreign powers. How, then, were Ministers to justify their conduct in defending the treaty, when they knew that circumstances had occurred to render it absolutely incapable of execution, and which must soon drive the country into war? He must assert, that they could not justify themselves; for if they said that those circumstances to which he had alluded were not causes for war, it would then be incumbent on them to shew how they came to be so now. Nothing could be more censurable than the conduct of Ministers in allowing aggressions on the part of France to pass by unnoticed; nothing had been done to put a stop to the conduct of France: by a singular inconsistency, instructions had been given to Ld. Whitworth, dated the 14th of November, to state that any attempt to march French troops into Holland would be considered as a violation of the treaty of peace; yet immediately after orders had been sent out for the evacuation of the Cape of Good Hope. After instances of this kind, it was useless to talk of unanimity. It was true that it was not possible for the greatest wisdom always to ensure success; but every prudent man would wish to see the resources of the country intrusted in hands which were likely to give them a proper application. It was his wish to do every thing in his power to support his Majesty's government, and to defend his just rights; but it was at the same time his duty to see that the means of the country were not wasted and misapplied.

Lord MELVILLE said, that he found himself impelled to concur in the motion of adjournment, first, because if this matter was entered into at all, it would take up the greater part of the remainder of the session, if it was to be adequately discussed, and it was better not to discuss it at all than to discuss it imperfectly; secondly, that although this was an important point, and their Lordships had certainly the power of interfering to address the King to remove his Ministers, yet they had also besides their power, another thing to consider, which was the exercise of their discretion; and he thought that before any thing else was done, the House should do every thing in its power to put the country into a proper state for its defence at this most important crisis, as well to encourage the people at home, as to teach the enemy abroad, that we are an united people, which was not to be accomplished by a party struggle of who should get places under Government; thirdly, because there was no reason for presuming that the Ministers did not possess the entire confidence of the Crown; and therefore if the House addressed his Majesty to remove them, it might not perhaps be quite easy to agree upon others to supply their places, and this was not a time to be without an Administration. His Lordship assigned several reasons why he could not be able to assent to the several propositions with which the original motion was proposed to be followed up, and some others in which he could assent for disapproving of the conduct of Ministers, particularly in giving up the Cape of Good Hope, which he considered of immense value to us; but all these topics he said were of much too laborious a discussion for the present.

Lord HOBART complained of the manner in which Ministers were treated on the present occasion. A motion was made to censure them—they were aware that as they had been in a very arduous situation, in which there

must be many things done, which, without close examination, might be disapproved of, they were not anxious to have an inquiry into their conduct, but they were ready to meet it. A censure to be moved on Ministers was no light matter, and yet now it was proposed that the question should be adjourned, by which they would be left in the same situation as they were in before the debate, with the difference only of having had their conduct complained of.

Lord GRENVILLE said, that it was thought Ministers had a right to complain of the form and manner in which the subject was brought forward. If there was any deviation from the mode stated by the Noble and Learned Lords to be the usual mode, it arose from two causes: first, from a desire to separate the consideration of the state of the country from every other consideration; secondly, that Ministers themselves might be prepared to take what course they liked best. He had avoided saying any thing of the conduct of the King's Ministers on the night of the discussion of the question of peace or war, upon the information laid before the House, although, for the last twelve months, he had most undoubtedly much to state by way of censure upon them: but he abstained for two reasons; first, because he would not have the people of this country suppose that any consideration could supersede that of their interests; secondly, that the enemy may learn, that, as far as regards a stedfast opposition to them, we are an united people. It was true, there was great difference of opinion on the conduct of the King's Ministers; but that was a subject which did not mix with the consideration of the conduct of the enemy, the aggression and insolence of which we were determined to resist. They had no desire to embarrass the King's government, they had only the desire of performing their duty, that of entering into a consideration of the situation of this country, a situation which none felt more than those who brought the present subject before their Lordships. He would ask whether this could be deemed an unfair mode of proceeding? No—directly the contrary. It was an earnest and particular desire of doing their duty in that House as Peers of Parliament, that actuated those who brought this subject forward, a desire to do justice to the country itself, and also to pursue the faults of Ministers with candour and moderation, not complaining of those whom they were obliged to condemn, until after the other and still more important business was disposed of. They had not contented themselves with making a general accusation, but they had pointed out specific charges. He was prepared to substantiate those charges. A message came some time ago from the Crown, calling on the country to arm against France. Those who had complained of the conduct of the King's Ministers, long before this period, suspended all their proceedings upon that subject immediately; and from the delivery of that message, down to the final close of the measure, no interruption took place in the discussion of the public business. Now that business was over, the opponents of Ministers came forward, and spoke sincerely of what appeared to be their faults. His Noble and Learned Friend knew very well that the debate now before the House might be turned into a committee of inquiry by any body, either on the one side or the other. If any one of his Majesty's Ministers should propose that this subject should even now be referred to a committee of inquiry, his Lordship said that he would not object to it. He said thus much to defend himself against the imputation of harshness, and indeed Noble Lords were much mistaken if they thought he had any pleasure in bringing this business forward; the truth was, that he was performing a very painful duty. His Lordship said, he should not think it necessary to go much at length into this subject. The question before the House, before that of the adjournment, was only a declaration of certain facts, which it was impossible to controvert, and which had not been attempted to be controverted. It was indeed stated by his Noble Friend who brought forward this subject, that it was meant to be followed up by other resolutions; it would have been trifling with the House if he had not done so, because to pass a vote without some practical measure to follow it up, would have been futile; and therefore his Noble Friend had given their Lordships to understand, that if his first motion was adopted, he should follow it up by another, for the removal of the King's Ministers, as it was called; but that was not the form of the resolution which his Noble Friend intended to propose; it was only to express to the King, that the confidence of that House was withdrawn from his Majesty's Ministers. He was anxious to speak upon these points, because he was afraid that the subject hitherto had not obtained all the attention its parliamentry importance appeared to him to deserve. Upon the constitutional point in this case his Lordship observed, that he was not going to pledge himself to the certainty of being in the right in every thing he said in that House, like the Noble and Learned Lord who had spoken so authoritatively upon this subject, but he believed that no man would deny that communication from the Throne to the Houses of Parliament was a very usual thing, nor did he believe that any man who had any value for the principles of our constitution would deny the propriety of these communications; for without information of this kind Parliament would not know properly what duties it had to discharge. This was a point on which he saw no difficulty in the investigation. There were some things which were rather delicate

to pursue, and he should touch upon them very lightly. The noble and learned lord had said, that of all the charges that were made, the charge that ministers did not come down to Parliament sooner, was the most foolish that ever was exhibited, and he gave a challenge to any one to shew the contrary: now his lordship said, that at the hazard of being called foolish by the noble and learned lord, he should accept this challenge. He had called on any body to point out what was the communication which ministers ought to have made to Parliament; and nothwithstanding the risk he ran of exposing what that noble and learned lord called consummate ignorance, he would point out, not only one particular thing which ministers ought to have communicated to Parliament, which they did not, but a detail of particular points in which it was the duty of the King's ministers to give information to the two Houses of Parliament, in order to keep up that which it was essential to the interest of this country to keep up; namely, a good understanding between the Crown and the two Houses of Parliament. As to the manner in which the preliminary articles of peace were defended, and what had been said on the terms of them, and also the tone of the government with whom we treated, and especially what had been said on the tone and manner of the government of France after the signature of the definitive treaty, when it was confidently stated there was nothing in the character of the government of France, or in the character of the person at the head of that government, which ought to lead us to suppose that the peace then concluded would not be as permanent as any this country had agreed to within the last century; this his lordship said, he should not now insist upon, although it proved a lamentable want of foresight, and might have misled the public if there had been nothing else to do so; but instead of insisting upon this assertion, he would take the matter up after the definitive treaty. The House had heard of the abolition of the Spanish langues, which was a material part of the 10th article of the treaty of Amiens; there was, he believed, no information before the House when that abolition took place, although that was important on the subject of Malta. It appeared by the declaration, that this abolition took place previous to the execution of the definitive treaty of Amiens, and when this was debated in Parliament, he told ministers and the House, that the treaty was impracticable in the 10th article, on account of the abolition of the Spanish langue. He would not risk his character upon that matter, but his firm belief was, that the Spanish langues had been abolished before the ratification of that treaty.—Ministers had better means of information than others, but he had a firm belief that this was so, and that these langues were abolished before the end of March. This subject was debated in the House on the 13th of May, and then the ministers defended the practicability of this 10th article of the treaty.—This he charged as misbehaviour in ministers; for by this they misled the public; they ought to have advised his Majesty to inform the Houses of Parliament that the treaty was become inpraticable, and then the two Houses would have had an opportunity of judging what advice to give to the throne, whether to endeavour to negotiate for another treaty, or to pursue the war. But it was now said, that the treaty of Amiens was only an experiment. If an experiment, it was nothing but an unfortunate experiment; for its duration was very short, and we made immense sacrifices to obtain it short as it was: sacrifices and concessions to the enemy, which he was almost afraid to mention. God only knew how many soldiers and sailors were disbanded, and that when we had to deal with an enemy of a singular character; an enemy whom our utmost efforts of force employed for years, had not been able to reduce to moderation, our ministers endavoured to make moderate by submission and concession. Now he said, that ministers knowing these things, ought not to have advised the King to tell the two Houses that we had a treaty with France, and had concluded peace, when at that very moment they knew that that which they called a definitive treaty was an impracticable thing; they were told so, and they defended the treaty: this his lordship charged on ministers as a great misconduct, which had the effect of deluding the public. This was on the 13th or 14th of May. The session lasted six weeks longer, and we proceeded on the experiment of peace, and to make great reductions, as if we had secured peace. The session lasted until the 9th of June. If their lordships wished to know how Parliament acted afterwards, he would refer them to the Journals, by which it appeared that the speaker of the House of Commons, on the last day of the session of Parliament, wherein he thanks his Majesty for having procured to his faithful subjects the blessings of peace.—Now, undoubtedly, the speaker of the House of Commons was not one of his Majesty's ministers, but he was one of those who were deluded by his Majesty's ministers, and contributed in deluding the public; and what was his Majesty's answer to that speech? He advised his subjects to the cultivation of the advantages of peace, at the very time that ministers knew that the treaty they had agreed to was impracticable.—He contended we ought to have the truth as they knew it to be. His lordship then came to the constitutional part of the case, and maintained that whatever might be said to the contrary by any man, learned or unlearned, it was the practice of our government, uniformly, from the revolution downwards, for the Crown always, upon the meeting of Parliament, to inform the two Houses of the internal state of the country, and all its external relations, for the purpose of calling for their advice on all these points, as advice might be necessary, a practice in which consisted the freedom of the state, and without which ours did not deserve the name of a free state. His

lordship said he looked carefully over all the Journals from the time of the revolution to the present, and he would venture to affirm, there was not a single instance in which, if there was any thing important to be communicated, it was not communicated from the throne to the two Houses of Parliament; and many instances occurred, in which not only the circumstances stated, but the advice of Parliament was specifically asked upon them: these things frequently occurred in the reign of Queen Anne and King William, and there were many instances of a similar kind in the illustrious predecessors of his present Majesty, George I. and II. Here his lordship specified several, and observed, that not one of them was a case of so much importance as the present: he was therefore not afraid of the rebuke of the learned lord who had taken upon himself to pronounce upon this subject in so peremptory a tone; he asked for no more than that government should follow the precedents of their ancestors, for "*state super vias antiquas*," was a good maxim. His lordship then proceeded to enumerate many other points which were within the knowledge of the ministers, and which it was their duty to have communicated to the two Houses of Parliament, and which manifested the hostile disposition of the enemy, and by which the public would have saved from the evils to which they had been exposed by the delusion. In one word, there was no one fact complained of in his Majesty's declaration against France, that was not known to ministers so long ago as November last, except the publication of Sebastiani's report.—His lordship proceeded to animadvert upon various other topics connected with the subject under discussion, and argued considerably in detail as to the ill consequences produced by the measures adopted by ministers. He instanced, amongst other points, the losses suffered by the Sovereign as elector of Hanover, and the situation to which the house of Orange was reduced. If the conduct adopted by ministers, with respect to Swisserland, were wise in October, it would be more wise in June, when their land force was twenty thousand men stronger, and they had a powerful navy to act with; but their interference on that head was too late, and before our messenger reached Vienna with propositions to the Emperor, Swisserland was in possession of the French troops. Their orders with respect to the Cape were, under the circumstances they had sent them, unjustifiable—they should have dispatched spirited remonstrances in the first instance; and after all that had been said that night, they surrendered the Cape, at a time when a powerful body of French troops were in the heart of Holland. Their conduct with respect to Malta, was weak and impolitic in the extreme, as most forcibly appeared in a document published at the other side of the water, by which it appeared, that the Russians were adverse to the measures taken with respect to that island, and that they were even contrary to existing engagements between this country and that potentate. After touching upon the affair of Egypt, he proceeded to animadvert upon the conduct of ministers with respect to different royal communications to Parliament, which, for want of sufficient explicitness, were productive of the most injurious consequences to the commercial interests of the country. He then commented upon the tenor and drift of some of the resolutions, and thought that the adoption thereof could in no point of view be productive of mischief, nor could it militate against the discharge of any of the duties of that House.

The LORD CHANCELLOR totally disapproved the motion for an adjournment, because, if carried, it left a stain on the conduct of ministry which their exertions for the country did by no means merit. If administration were weak, why attempt to diminish their influence with the country by a censure of their conduct? The motion for adjournment not only went to that extent; but would, if carried, by bringing the government into disrepute, tend to impede their operations for the interests of the state. Instead of pressing motions of this nature at this particular period, when all the departments of government ought to be invigorated, it would be more liberal and patriotic to suggest and support some measures for the defence of the country against the common enemy. What would Buonaparté think, if he found that the very same government, whose conduct had been so highly approved, on the discussion of the official papers respecting the late negotiation, were some few days after censured by the very same Parliament? Such an idea was both ridiculous and absurd, and he hoped would not receive the approbation of their lordships. It would tend to remove all thoughts of peace to a very remote period, by encouraging the enemy to the full and persevering exercise of his power. If the First Consul found that any want of unanimity prevailed in Parliament, it would stimulate him to the most active exertions against our government. Such a motion, therefore, as was now before them, if carried, would disappoint the hopes of the best men, and operate even contrary to the interest of the respectable characters who supported it. He would not accuse those who supported the motion of a mischievous intent, but he was fully persuaded, that it would not tend to accelerate the operations of government against the enemy.

Lord GRANTLEY thought the present ministry in many instances censurable. He was, however, of opinion, that on this trying occasion, when the greatest exertions were necessary, the arm of power ought to be strengthened, instead of weakened. In this view, he would much sooner pass a vote of thanks than that of censure on the conduct of the present administration.

The Earl of WARWICK condemned those who now governed public affairs, as inadequate to the situations in which they were placed.

HOUSE OF COMMONS.

Friday, June 3. (Min. 870).

[Censure of Ministers.]——Col. Patten said it was with reluctance he rose to draw the attention of the House to such a subject as he had now to submit to their consideration. The House would recollect the character which he held within those walls; he had no communication with gentlemen on the one side, nor did he evince a disposition uniformly to oppose gentlemen on the other. But, when he found his country involved in war, and thought that that war might have been avoided, as also that ministers were culpable in delaying it so long, he must beg the indulgence of the House while he endeavoured to point out to them in what manner the conduct of his Majesty's ministers was deserving of crimination, or at least of censure. In the first place he must request the House to pay attention while he read a part of his Majesty's declaration, which expressly says that "the period which has elapsed since "the conclusion of the definitive treaty, has been "marked with one continued series of aggression, "violence, and insult, on the part of the French "government." If this were true (and of the truth of it he had no reason to doubt), ministers were most undoubtedly culpable in with-holding that communication from the Parliament of the Country for such a length of time. Ministers had since that period held out a hope of peace, and even given a confidential assurance to Parliament that there was no probability of the treaty being broken, but their orders and their counter-orders were sufficient evidence of their knowledge to the contrary. Respect for the opinions and the feelings of his brother subjects induced him to come to this public explanation, as it appeared to him no more than fair, no more than justice and honour demanded, that the people of a free country should be informed of what was the cause of their being involved in the horrors of war, or what were the endeavours of their rulers to avert that evil. He was deterred, however, from bringing forward his promised motion by what he thought no more than a becoming deference to the opinions of those whose ability and discrimination, he was well convinced, was far superior to his own. At length, finding the House and the Country still continue in a state of uncertainty; finding so much doubt, perplexity, and ambiguity hang over the sort of explanation that was given them, he felt it his duty to complain of such conduct in the face of the House and of the Country, in order that the case might be judged of fairly between him and the administration of the country, and that those persons who were more experienced in politics and more eloquent in speech, might deliver their opinion, and that the House might come to a positive decision on the question. He was well convinced that, whatever might be the event of his motion in that House, he was borne out in his opinions by the sentiments of the people of Great Britain: they heard of increased expenses, they saw their trade becoming stagnated, and commerce stood dismayed and appalled; and all this with only the general assertion of aggravation and insult on the part of the French government! He disclaimed any personal aversion to the gentlemen who now directed his Majesty's councils; no doubt there were many worthy and respectable characters among them.—But he wished to see that Bench (pointing to the Treasury Bench) filled with all the talent and ability of the country at this momentous crisis. He had nothing to wish, nothing to hope, and nothing to fear from that or any administration; but at a period like the present he thought it his duty, as a representative of the people, whose dearest interests were so immediately at their disposal, to warn the House against giving their confidence, and if the House should concur in opinion with him, to caution our most Gracious Sovereign against the danger of longer entrusting the conduct of his affairs to men so incapable of guiding the helm of the State.——He declared he had been influenced in the conduct he had pursued solely by his own feelings, and his own conviction of duty. He knew, however, that in consequence of the part he had taken, he had been made the subject of much calumny; so far as the slanderous reports, affect himself only, he was indifferent to them, and therefore would not be disposed to allude to them there; but when they implicated others, when they affected those hon. friends whom he must respect it was impossible to pass them unnoticed. He therefore, positively declared, that at the time he first offered his motion to the House, he had no consultation with the hon. gent. near to him, nor had he since up to this time concerted any measure with them respecting the mode or time of bringing it forward. But it had been stated that he was the tool of those hon. gentlemen; that he was only the instrument which they employed for breaking the ground they were afterwards to cultivate themselves. All these calumnies were as false as they were malignant. This vindication was due to the characters of his hon. friends; but he should not do justice to himself, if he did not state that he was proud to be classed with men who by their foresight and firmness had rendered such essential services to their country. He should be ashamed of himself, if he were not happy to be classed with men who, for their abilities as statesmen, were not only the admiration of this country, but looked up to with reverence by all the Cabinets of Europe. Notwithstanding all that had been said respecting the preparations in the ports of France, he was convinced that at the time the Message of the 8th of March was delivered to the House, there were no preparations made in the ports of France, with any hostile view towards this country. As to the hostile disposition of France, at that time, as well as before and since, there could be no doubt. He never entertained the idea that this country was immediately endangered by the preparations of France Her views were first directed to Egypt, to the embarrassment of our commerce: but there was no doubt that their ultimate object was to strike at the very root of our independence. Ministers complained of the aggressions and insults of France, but had taken no means to repel them. He thought it was with countries, as with individuals, when one injury was submitted to, another was invited. Among the aggressions of France, recapitulated in the declaration, the invasion of Swisserland was one of the most prominent. He could not help feeling more for the Swiss, than for any other people the French had unjustly attacked. Like us, they had free institutions handed down to them from their ancestors. They had bravely struggled to defend their freedom and independence against

forming a new arrangement for Malta, but it could not be a reason for employing a whole summer in persuading other powers to do what you had refused to do, because subsequent events had rendered it impossible. As to Swisserland, the ambitious projects of France with respect to that country were well known before November; all that happened which made it necessary for this country to interfere in its fate had happened before *November*; nay, at the very moment when ministers were gravely assuring the country, that they saw no prospect whatever of a renewal of hostilities, Mr. Moore was engaged at Constance in negotiations, which, if the situation of Europe had allowed of their being carried to the extent, his instructions authorised, would have ended in a renewal of hostilities. Prior to the time to which I have so often alluded, every complaint which we now urge as cause of war against France for its insolent and hostile interference in the administration of our laws, and its audacious attack upon the liberty of the press existed in its full force. On the *17th August* M. Otto writes that insulting letter to Lord Hawkesbury, in which, in the name of the First Consul, he insists upon a stop being put to publications hostile to France, the removal of the emigrant noblesse and clergy out of this country, and the "*deportation*" of other emigrants to Canada. All this, and much more on the same subject, happened long before the *23d of November*. In August it was that captain d'Auvergne was seized contrary to every principle of justice, and in violation of the treaty of Amiens; long before *November* it was well known and universally acknowledged that France did not mean to indemnify the Stadtholder, according to spirit of the treaty of Amiens; in short, almost every case that is now made, either of itself, or conjointly, a cause of war, almost every insult of which we now so justly complain, almost every aggression which we are now called upon to resent had occurred before the *23d of November*, and yet, on that day, minister came down to this house and states "that he sees no prospect of a renewal of hosti-"lities." We are now confined in our researches to that period, for the same declaration, more strongly marked, was made on the *23d of the February following*, in the reason assigned for increasing the establishment of H. R. H. the Prince of Wales was, that it was a moment of "*profound peace*" that the measure was one which tho' equally necessary in a time of war, the difficulties of such times rendered improper to bring forward, and therefore, a moment of "profound peace" was chosen by the Chancellor of the Exchequer, as the auspicious moment. Thus, Sir, every argument that held good on the *23d of November* came with redoubled force when urged on the *23d of February*, every insult was then aggravated, every aggression which began to shew itself at the former period had completed and formed itself by the latter. By that period one would have supposed that ministers had began to doubt the truth of their former speculations. One would think that their spirit of prophecy would have been a little damped by perverse experience. Careless, however, of the lessons of experience, and heedless of future fame, they boldly state, on the *23d of February*, that the country is in *profound peace*, and that no discussions existed at that moment between the two countries. Dates and facts are the witnesses I call to the veracity of the king's ministers.—On the *9th of February* Lord Hawkesbury directs Ld. Whitworth to remonstrate against the publication of Sebastiani's report. On the *17th* that remonstrance is made. On the *21st of February* Ld. Whitworth had the famous audience of Buonaparté, which ministers declared was a decisive proof of the hostile views of the First Consul: the measure of insult was full; aggression had followed aggression, the views of France upon Egypt, upon the Turkish empire, upon Swisserland, upon Holland, and upon this country, were known and avowed. Every feeling which animates us as Englishmen had been insulted; we were told by our insolent enemy, your press must be made subservient to my view, you must transport the nobles and the priesthood who have sought refuge in your hospitality, you must import commercial agents, whom, as my R. Hon. relation (*Mr. Pitt*) has justly observed, you would been bound to have hanged as spies in time of war: you must stand aloof whilst I seize, with a giant's hand, the whole of Europe, you must give up all connexion with the continent, *the treaty of Amiens provides for every thing and settles every thing*. On the *23d of February* we had been told all this: on the *23d of February* minister comes here and tells us that we are in profound peace, and that there are no discussions existing between the two countries; and, on the *8th of March*, the same minister comes and tells us to prepare for war. We are prepared for war—I trust there is not a man in this country, whose breast does not glow with indignation at the insults we have suffered, and with a determination to support the honour and avenge the injured cause of his country. Ministers lulled the country into an unreal belief of security, they cherished her with false hopes, they asked unlimited confidence, and have reposed none in return; they deluded the people with glittering visions of peace, knowing that when they awoke they would awake to the reality of a war. The next point is, have ministers done all that became them to do, to avert the calamity which has come upon us? Now, whether they have submitted enough, God knows the country has seen enough of submission; not whether they have sufficiently given way to the views of France. God knows their bitterest enemies cannot accuse them of having conceded too little to France. The question is, whether they remonstrated in such a manner as became the ministers of a great and powerful nation; whether they interfered in such a manner as to make their interference effective; whether they mediated in such a manner as to aid those in whose favour they mediated; whether they repelled aggressions with firmness, and opposed dignified moderation to violent and presuming demand? I do not hesitate to say, that here they have completely failed. When they conceded most, they conceded with least dignity; when they resisted most, they resisted with least effect. They have urged in their declaration as one of these causes which in the aggregate made the great cause of war, "that "France has enforced war since the peace with "inexcusable strictness and severity, the prohi-"bitions which had been placed upon the com-"merce of the subjects of his Majesty, that vio-"lence has been offered to their vessels and their "property." Let us look to the papers before us, and how stands the fact? Sir, the first collection

of papers presented to us, not one word is mentioned of what constitutes this part of their declaration; in one solitary instance, only, is the subject alluded to. In the 2d collection of papers we see notification after notification from Mr. Merry, of insult upon insult offered to our flags and commerce, but in no one instance does any remonstrance appear from his Majesty's government, no instructions to Mr. Merry to remonstrate; and, in the case of the *Ship George*, to which I before alluded, no answer of any kind appears to have been given to Mr. Merry. The second cause of war is, the introduction by France into this country of her privileged spies, the Commercial Agents. To this insulting act of aggression no remonstrance is made by ministers, and except in the one case no steps appear to have been taken for sending them out of the country. Once, indeed, Lord Hawkesbury informed the French minister that the Agents could not be acknowledged as such, and that if any attempts were made to send them to their places of destination they would receive orders to quit the country. In London, however, the whole corps d'espionage was permitted to remain unmolested. The Agents were not sent to their destination, but in London they remained till Gen. Andreossi left the country. The next cause of war is, the occupation of Holland by the French troops. To this violent act of aggression, to this breach of the letter "of three solemn treaties," not only no remonstrance appears to have been made, but we have the assurance of the noble Secretary of State, that, in fact, no written remonstrance was made by the ministers, and though, in consequence of Mr. Liston's dispatch of the 13*th of October*, orders were sent out on the 17th to retain the Cape and the West-India Islands, on the receipt of his dispatch of the 29th, stating the seizure by the French troops of the frontier towns of Holland, orders are sent out on the 16*th of November* to evacuate the Cape and the West-India Islands, which we had before ordered to be retained, notwithstanding the cause of that order remained the same. The fourth cause of war is, the seizure of Swisserland by France. I will not here inquire, whether it was fitting that this country should have interfered in its fate. Upon that subject, I entertain a decided opinion, which it is not now necessary to avow. We have interfered: and it is enough for me to ascertain, whether that interference was made in the manner most likely to answer the purpose for which it was intended. How stands the fact, and how is that fact supported by dates? As early as the 13*th of July*, 1802, the Deputies of almost all the Swiss Cantons remonstrated publicly against the constitution forced upon them by Buonaparté. From that time it was evident, that the Swiss only waited for the moment most propitious to make another struggle for their liberties. France saw the blow that was impending, and during the whole summer made preparations for maintaining the seizure of Swisserland. At length, on the 12*th of September*, the flame burst forth: all Swisserland appeared in arms against her task-masters; during this whole interval did this country stir one step to aid the rising spirit of the Swiss or assist their daring efforts?—Of their interference we hear nothing till the 3*d of October*. On that day Mr. Merry writes word that the Swiss had an agent in Paris, who was directed to apply to the foreign ministers there, to interfere with the First Consul in their favour. After having in vain tried to interest the feelings of all Europe in his behalf, after having in vain solicited the good offices of Austria, Prussia, Russia and the king of Etruria, having been refused by all the ministers of those powers, he comes at last to the English minister, and tells the piteous story of his country's wrongs. On England he places his last, but his firmest reliance, to England his country looks for protection and for assistance. Mr. Merry writes for instructions. He receives none; no answer is ever given to the Swiss agent, and he is left to cool his heels in the antichamber of Mr. Merry. In this instance, however, an English minister ventures to make a written remonstrance, and no answer is given to it. *On the* 10*th of October* the remonstrance is sent to Mr. Otto; but it appears that no answer was made to it. Rumour, indeed, says that one was made, but in such offensive terms, so broadly declaring that we had no right to interfere with the affairs of the continent, and referring us with such insolent pedantry to the treaty of Amiens as to the book in which alone we were to read our destinies, that it would have justified immediate war, instead of being followed by the surrender of the Cape and our West-India conquests. On the same day are dated the instructions to Mr. Moore, directing him to proceed to Constance, where he arrives on the 31*st of October*; and the first news he receives is, that the struggle is over, and the diet of Schwitz is dissolved. He writes home to inquire what he is to do; and on the 25*th of November* Ld. Hawkesbury tells him, that he may return. During all this time is any effort made to back our remonstrance at Paris? Is our minister there directed to support our interference? Is any answer given to the Swiss agent which he might shew to the ministers of other courts, and which would have encouraged those courts to give that assistance? The want of which ministers urge as the reason for not interfering further, but which it appears we never asked for! Mr. Moore's instructions are to ascertain whether any Austrian or other continental troops are ready to enter Swisserland in case it was found necessary to support, by arms, the pretensions of the Swiss. From *July to November* ministers could find no other time proper for their interference, but that in which no troops could enter, much less act in Swisserland in consequence of the severity of the season.—The next cause of war is the non-execution on the part of France of that part of the treaty of Amiens respecting Malta: and upon this point the negotiation appears to have been conducted with the same *firmness* and *dignity* which so strongly characterised its whole course. *In May* the Spanish revenues of the order were confiscated. *In October*, by the annexation of Parma, more were confiscated; still the literal execution of the 10th art. is insisted upon by England. During the whole time no new arrangement is heard of. The 10th art. is constantly rung in our ears. The whole 10th art., nothing but the 10th art. of the treaty of Amiens, till at last the farce can be carried on no longer, and the necessity of a new arrangement begins to be talked of. How is that negotiation supported by our ministers? On the 21*st of July* Buonaparté tells Ld. Whithworth, that, on Malta, depends the question of peace or war, that on no terms shall England be permitted to retain Malta,

that he had rather she should have the fauxbourg St. Antoine than Malta. On the 11*th of March*, Talleyrand tells Ld. Whitworth that the First Consul will look upon the non-evacuation of Malta as the commencement of hostilities, not as a cause of war, but as an act of war. Here all discussion about Malta should have ended. Ld. Whitworth had said the occupation of Malta by England in some shape or other was absolutely necessary; and Talleyrand had said such occupation would be deemed the commencement of hostilities. *Ultimatum* is sent after *ultimatum*; and at last you give up the idea of retaining Malta for ever, on the dignified and honorable condition that France agreed to your reserving it for 10 years only, and secured your possession in full sovereignty of the island of Lampedosa. Your last *ultimatum* (for however absurd may be the expression, there is no way of stating the proceedings of this negotiation, but by talking of the 1st, 2d, 3d and *last ultimatum*) by which you, of course, pledged yourselves to abide; and which, if it had been agreed to, would have brougth the negotiation to a *favourable* issue, proposed that in consideration of the immense accession of strength obtained by France, upon the continent, she would give up Malta for 10 years, and *steal* Lampedosa for you for ever! You therefore gravely state that, at the end of 10 years, the vast accession of force to France confirmed by 10 years' possession, the immense increase of her resources ripened by ten years' maturity, her possession of Italy, her influence in Germany, in Spain and in Portugal, and her command of Holland, will be counterbalanced by the *enormous acquisition* of a barren rock, of an island without an inhabitant, of that nursery of sea gulls, Lampedosa! The next cause for war is the attack upon the liberty of the press, and the requisition to *transport* the emigrants to Canada or elsewhere. I call upon ministers to point out to me in any part of the correspondence, which lays upon your table, one remonstrance against the insolent attack upon the liberty of the press. Ld. Hawkesbury writes very prettily on the subject, and Ld. Whitworth assures M. Talleyrand that it is impossible for Ld. Hawkesbury to controul the licence of the press here, because he could not influence *a single newspaper for his own objects*: he trusts therefo e that the First Consul will not be so unreasonable as to insist upon his controlling the language of the news-writers and pamphleteers in this country. But have we one word of *remonstrance* against the insolent language, or the insulting of the French government? Can ministers point out one instance in which they directed Ld. Whitworth to ask satisfaction for the outrage, and to say, in distinct terms, that unless interference in our own concerns by France was distinctly and openly disavowed, he should leave the country? No; in proportion as France increased in insolence, we multiplied concession; and the more revolting and violent became her demands, the weaker and the more inefficient became our remonstrance. When we look to the subject, relating to the French emigrants, disgraceful, indeed, is the tale we have to tell, and disgusting the scene of humiliation which H. M. ministers have acted. The first attack made by the French government is a remonstrance from Talleyrand to Mr. Merry, againts the conduct of the French princes in publicly wearing the insignia of their orders, which Talleyrand describes as insulting to his government. The tame and disgraceful answer which ministers make to this childish and impertinent complaint is, that "it would be more proper if they (the French princes and nobles) abstained from it." But how could ministers help it or prevent it? Was that the language for his Majesty's ministers to hold in reply to such a remonstrance? I ask them if ever the chastening hand of Providence was to plunge this country into the same misfortunes which have overwhelmed France, if ever our nobles were sent to seek refuge in a foreign land, how they would brook the idea of our nobility surrendering the badges of their rank and the insignia of their honours, because they no longer dared to wear them. Yet this is the conduct which ministers think "it would have been more proper," if the French nobles had followed.—The next demand the French government makes is that the French superior clergy, who were emigrants in England, should be removed from the kingdom, and that others, who they named, should be *déporté to Canada!* These august, these venerable characters, who true to their religion and faithful to their sovereign, gave up *even the means of subsistence* and left their friends, relations and dearest connexions rather than remain in the land where that sovereign had been murdered, and that religion prophaned, who encouraged by the general voice of England sought that refuge here which almost every other country refused them. We are called upon by the authors of their miseries, who are at this moment revelling in their spoils and exulting in their misfortunes, to remove them from the refuge we gave them, and thus to violate that hospitality on the faith of which they came. Those gallant men, who sacrificing every consideration of personal risque, made an unavailing, but glorious attempt to restore the throne of their kings and to re-establish the altars of their faith, whose exertions *we* animated, and whose arms *we* assisted, who engaged in this memorable struggle on the faith of British promises, and in the confidence of British assistance, *we* are called upon by the very men against whom they fought, and against whom *we* once made common cause with them, to "*déporter*" to Canada. Let Gentlemen recollect the meaning attached to that word by the present rulers of France, let them recollect the horrors of the famous "deportation" to Cayenne, as described by the miserable survivors of it; let them recollect that to a "deportation," of this kind, the French government wished to doom the loyal and persecuted emigrants of France, and then let them turn to the answer which H. M. ministers chose to give to this cruel, this infernal proposal. "His Majesty is very de-"sirous to obviate any cause of complaint or un-"easiness with respect to their persons, and mea-"sures are in contemplation, *and will be taken* for "the purpose of removing them out of H. M. Eu-"ropean dominions." I shut the book in disgust, in horror and in shame. In disgust and in horror at the barbarity which could dictate this sentence, and in shame and in confusion at the eternal stain and blot which it will fix upon this page of our history.—I have thus gone through the different points which appear to me to bear upon the subject before you, and to justify the resolutions which are submitted to the House. From these extracts which I have made from the papers on your table, from the facts which they avow, and from the dates which confirm these facts, *three* deductions are to be made. The first is, that from the moment the treaty of Amiens was signed, H. M. ministers were aware of the hostile intentions avowed and expressed by the government of France towards this country; secondly, that being so aware of them, they concealed that conviction from the country, and encouraged the people with hopes of permanent peace and tranquil-

lity; knowing, at the moment they held out those hopes, that they were false and illusory; and thirdly, that on many points which they now make, either distinctly or collectively, causes of war, they made no remonstrance, or such remonstrances as were degrading to the dignity of the nation, and that when they interfered or mediated, they interfered without firmness and mediated without honour.

Mr. Horhouse said, that ministers were charged with having neglected to communicate to the House the disposition of the French government and the agressions that had occurred. True, they had received sufficient provocation, were they to yield to their feelings, to break off the negotiation, but do they not deserve applause for suppressing those feelings and for waiting until they had unequivocal ground for going to war. If they had come to parliament, from time to time, with their complaints, they would have been charged with disturbing the harmony of the two countries, and rekindling war. And because they did not do so; because they did not go to war with France for her encroachement on the continent; and for demanding that the emigrants should be sent out of the country; and for requiring first to control the liberty of our press; because they did not go to war for these things, are his Majesty's ministers to incur the charge of timidity, irresolution and inconsistency?

Sir W. Young observed, that this administration came into power under many disadvantages: they had to terminate a most dangerous war, without allies, against a terrible enemy. The aggressions of France, since the treaty of Amiens, arose out of the treaty itself. With respect to Malta, he would say that the order was degraded. He would have the country direct its attention to the hostile mind Buonaparté bears against this country. An *arreté* of the 20th of June last had been passed, ordering that all connexions with foreigners, meaning English, shall be dissolved. By the treaty of Amiens, is not our commerce undermined? Wherever France can prevail, is it not checked, clogged, and prohibited? From a review of the conduct of ministers he did not think that they had acted as became the ministers of this country.

Mr. Fonblanque said, that here was nothing in the papers before the House that made him repent of his confidence in ministry, nor that could bring reproach upon them for the concealment which they had practised. The line of conduct which the ministers pursued, as far as he had been enabled to judge of it, had been proper. The conduct of France, since the treaty of Amiens, had been one continual scene of aggression. To watch her motions and intentions, in his opinion, did not so much require distinguished talents, as active vigilance, and never was this demanded more in any period of history. As to Malta, he considered the possession of it essential to our commercial greatness, and it ought not to be given up on any account. Ministers are also charged with having forborne to remonstrate against the conduct of France to Holland. This is unfounded; for it is known that their forbearance was at the instance of Holland itself. They are charged with abandoning the unfortunate Swiss. What could England do alone in such a contest? The powers of the continent refused to interfere; and is their criminal indifference chargeable in this House as a crime to his Majesty's ministers? As to insults, he would state it as a cause of exultation, that the First Consul had spoken of the freedom of our press, and found himself at length constrained to recur to the judicial decisions of the country. And as to Sebastiani, he thought if the French government chose to deny the object of his mission, the government, this House, and the country, were abundantly satisfied, and could not feel any longer an insult on this point.

Mr. Archdale professed his approbation of the conduct of ministers through the whole of the negotiations. He thought they had been throughout animated with a sincere desire to preserve peace, consistent with the honour and the interests of the country. He congratulated the House on the important improvement which had taken place in the temper and disposition of the people of Ireland, and on the attachment they felt for this country and the government. The conduct of the First Consul had opened the eyes of the deluded, and all ranks now detested him as the common enemy of the independence and the liberty of mankind. If he should dare to make his appearance in that country, he would meet with a very warm reception from the well-affected, from principle; and from some of our jacobins, from revenge.

Mr. C. Wynne condemned ministers strongly for deluding the nation with hopes of peace, when every act of the French government manifested a hostile and dangerous spirit which rendered any hope of continued peace absurd.

Mr. Courteney. I think the R. Hon. Gentl. opposite (the Ch. of the Ex.) has been very hardly dealt with by all parties, on the subject of this negotiation, and the turn it has taken. The R. Hon Gentl. wished to conciliate all parties: how has he done it? When the state of the country and of the negotiation promised peace, then the party who wished for war inveighed against him for pusillanimous and disgraceful conduct; but as soon as he gave them war, they found matter still to inveigh against him. As to certain experiments for restoring the state to its former prosperity, I shall mention the opinion of a great philosopher, statesman, and legislator: I mean *Hippocrates:* in his *Aphorisms*, he says, if you should break your leg, and either by neglect, or an unskilful artist, it should not knit well together, or knit in such a manner as to destroy the strength or symmetry of the limb, the remedy is simple: *Break it again*, and give the care of it to *another artist*. I do not mean, Sir, to make any particular application of the advice of Hippocrates, or any invidious allusion; but simply to state the advice of a great philosopher and statesman.

Sir W. Milner saw much to praise, and little to censure in the conduct of ministers. He commended them for their spirit of moderation and forbearance. The French government had been insolent; but, ministers had wisely made great sacrifices to peace. As long as their conduct was constitutional, they should have his support.

Sir T. Metcalf thought the motion pernicious in itself, and particularly inexpedient, as it might give information to the enemy, and unhinge the spirit of the country at home. The R. Hon. Gentl. at the head of his Majesty's councils, against whom these resolutions were chiefly directed, had resigned an honourable situation where he was universally beloved and respected, and accepting of the commands of his Sovereign, had taken on himself the management of affairs at a very difficult crisis. Through that crisis he had conducted the country with honour. He had given us peace when it was infinitely desirable. He had used every means to preserve it, and now that the ambition of the enemy had forced us to renew

the war, he truſted that he would conduct it with ability and success. He ſtood high in the confidence of the country; and his conduct, and the conduct of his colleagues, deserved praise inſtead of being exposed to censure.

Mr. Gregor considered it necessary to inveſtigate the conduct of miniſters: if the conduct of France has been a syſtem of suppression and insult to this country, he was aſtonished we should have given up any of our conqueſts, which now would be of the utmoſt importance to us, or disembody our military and naval force. When he reviewed the conduct of miniſters, he could not give them his confidence, nor think them men of sufficient ability to be truſted with the management of the affairs of the country in a situation so critical as the present.

Mr. Burland assured the House, that the people were so well satisfied with peace, that Mr. Pitt could not have carried on the war another year; and from being a magiſtrate of a very populous neighbourhood, he had an opportunity of knowing the sentiments of the people, who considered the peace as a blessing to them.

Mr. T. Grenville said, that before he offered himself to the attention of the House, he had been anxious to hear from miniſters some juſtification of their conduct, which had on this and various other occasions been so powerfully assailed. Perceiving, however, that the expectation of receiving this explanation, on which he wished to found what he had to submit on the subject of the resolution moved by his hon. friend was vain, he should now beg leave to solicit the attention of the House, while he endeavoured to ſtate, with as much brevity as possible, the reasons on which he felt it his duty, as an independent member of Parliament, to give his decided support to these resolutions. He expressed his unwillingness to offer many observations on the objection which had been adduced by moſt of the members who had spoken this night. He was still less willing to detain the attention of the House by replying to false, malicious, and unfounded insinuations which had been thrown out in certain quarters against those gentlemen, who from considerations of public duty, were determined to support the resolution which had been proposed by the hon. member who began the discussion. The motion had been ascribed to mean considerations of party spirit; to the mere wish of one set of gentlemen to drive others from confidential situations under government, with the view of occupying their places. For himself he muſt moſt unequivocally reprobate such insinuations, and he would not so far forget what he owed to the House and to his own character, as make them the subject of any greater length of animadversion. But having adverted to this objection, he had only to say a few words to the only other objection which had been adduced in the course of the discussion. It had been argued that the present was not the time for bringing forward resolutions of the nature which had this evening been submitted to the House. This country was now engaged in a conteſt where unanimity among all ranks and orders in the state was of the higheſt importance, and when consequently, it was highly to be wished for that no discussion might be provoked which might have the appearance of a wish to disturb this unanimity. Of all the possible objections which could be urged, he had no difficulty in saying, that he considered this as one of the moſt extraordinary. He could hardly bring himself to believe that this evening he had heard it gravely ſtated by an hon. member on the other side (sir T. Metcalf), that by agreeing to the resolutions, or, even by pressing the discussion, information might be conveyed to the enemy. It was not very easy to see what was the species of information to which the hon. member alluded. For himself, he had no sort of difficulty in saying, that a principal object which he had in view by supporting the resolutions, was to convey both to the enemy and to the people of this country information which, at a crisis like the present, was in all points of view so important. He was anxious that, at a moment when we were engaged in a conteſt more trying and more hazardous, in a conteſt in which great exertions and great sacrifices would be more powerfully required than in any former ſtruggle in which the country was ever engaged, that an inquiry should be inſtituted into the capacity of those who were to direct the application of the national resources, and the national strength; to ascertain whether the battle which was to be fought would be fought with proportionate energy and courage; to see that every department of the public service was properly administered; to take care, that if the country was to submit to extraordinary sacrifices, the exertions which were made were directed by those to whom all ought to look up with confidence. In this sense he certainly wished that the enemy and the people of Great Britain should be put in possession of that, which it was the object of the resolutions to procure. Having said this, he would not pretend to deny that the object of the resolutions was to call in question the conduct of ministers throughout the whole of the negotiations and discussions which had taken place betwixt the two governments from the time that the definitive treaty of peace was concluded. To have a full and fair view of this subject it would, however, be in the first place necessary, briefly to advert to the situation of the country at the time when the treaty was concluded. By the 2d of the resolutions it was declared, that miniſters had not made to Parliament such full and ample communications as could lead to any eſtimate of the real situation of the country, and therefore the House was debarred from the conſtitutional right of giving any opinion on the ſtate of public affairs. A disposition had been manifeſted to lay a great deal of stress on particular expressions. He was not at any time disposed to question the words which Gentl. themselves were disinclined to disavow, but he would contend that it was perfectly parliamentary to draw an inference from the general spirit and complexion of the language employed by those in official situations, which gave to that language a degree of weight and consequence, which it did not otherwise possess; which was the foundation of important conclusions, and which was, consequently, in all cases, more narrowly canvassed. He was desirous, therefore, of diſtinctly recollecting and ſtating to the House the views and expectations which had been held out at the time of the signature of the definitive treaty. He could not better explain what those views and expectations were at that period, than by referring to the language which

had then been employed by the R. Hon. Gent. on the other side (Mr. Addington), when the merits of the definitive treaty were so fully discussed [14th of May 1802]. At that time, in answer to some arguments to prove that the peace could not possibly be of long duration, the R. Hon. Gent. had said, "I am impressed with a thorough conviction that the peace which has now been concluded will, in all probability, be of as long duration as any of the pacifications concluded at various periods of the last century. I see nothing in the appearance of the present times, in the present government of France, or the character of the individuals of whom that government is composed, which at all induces me to think that the peace will not be lasting." On that occasion he was among the small number of those who had uniformly argued in favour of the propriety of an address to his Majesty, recommending an immediate settlement of the various points which the treaty had left open to discussion, and from which we anticipated a rupture at no very distant period, unless an adjustment was effected. This proposition had, however, been resisted by ministers and rejected by the House. What then was the state of the information which ministers communicated to parliament? The fact was, that no information of any kind was communicated to the last parliament after the signature of the treaty, except what was communicated through his Majesty's gracious speech at the conclusion of the session. In that speech an expectation was certainly held out that there was a prospect of the continuance of peace, and a recommendation was given to cultivate the advantage which a state of peace presented. With this general impression the last parliament was dissolved. He certainly had never heard it asserted, and he could in no case admit the position, that the prospect of a speedy dissolution of parliament at all lessened the obligation of ministers to communicate full and fair explanation of the state of public affairs. In this state the matter continued till the opening of the new parliament on the 23d of November, and then, as before, all communication was with-held. Here, however, it became important to inquire what were the facts which had occurred during the interval. When those who supported the resolution contended that no information of the real state of the country was laid before Parliament, at the opening of the session in his Majesty's speech from the throne, they at the same time argued that every one of the grounds of war enumerated in his Majesty's declaration had then taken place, and were as well known to ministers as at the period when the declaration was published. To shew that this assertion was well founded, he should beg leave to direct the attention of the House to a few of the principal grounds of complaint and agression which the declaration contained. The first to which he would advert, was the complaints of the molestation to which our commerce was exposed. From documents now on the table, it appeared that from December 1801, to the same period in the following year, a series of these complaints had been preferred to ministers, and no spirited remonstrance had taken place on the subject. The visit of the military consuls was known before his Majesty's speech was delivered, for it appeared by a paper, which was a few days since laid before the House, that the instructions of Talleyrand to Fauvelet, who had been sent to take soundings of the harbour of Dublin, that they were dated at an early part of the month of November, and consequently were known to ministers when Parliament was opened. That the designs of the First Consul of France with respect to Switzerland were known, was a matter of general notoriety. Ministers themselves had presented a remonstrance long before that period. On this part of the subject he should, before he sat down, submit some important considerations. With the annexation of Piedmont to France, ministers were not unacquainted. The confiscation of the revenue of the Spanish priories of the order of Malta, there was also every reason to think that ministers were acquainted with even before the definitive treaty was concluded. The mission of Sebastiani, ministers were fully apprized of, long before they thought proper publicly to allude to it. They were not ignorant of the time when he left France, and on the 29th of November a dispatch from Gen. Stewart announced his arrival in Egypt. Thus did it appear, that all the principal grounds of the declaration were perfectly well known to ministers, long before the declaration made its appearance. But, he would not confine himself to these circumstances, but would refer to others of not less importance, though they were not introduced into the declaration, and very materially implicated the conduct of ministers. The first of these points to which he begged leave to allude, was the arrangement of the German indemnities, which to a considerable degree involved British interests. When he said this, he meant to allude to the insult which had been offered to his Majesty by mulcting a part of his Hanoverian dominions to satisfy the avarice of the greater powers. Complete mystery had covered the whole business of the indemnities to the house of Orange. For this arrangement an article had been introduced into the treaty; but till the papers were laid on the table the House had been totally ignorant in what train the negotiation on this subject had been left by ministers. The whole business about the order for the evacuation of the Cape, and its subsequent retention, was entirely passed over in silence. By papers subsequently called for, it appeared that on the 16th of October, ministers had dispatched orders to retain the Cape, though, by a solemn treaty, it was to be given up within a limited period. Ministers, by this treaty, entered into a stipulation, which stated, that within a certain period the Cape should be surrendered to the Batavian republic. The treaty containing this stipulation had been laid before both Houses of Parliament, and had received their approbation. Under such circumstances, ministers had taken on themselves to violate a direct stipulation of the treaty. They had chosen particularly to dispatch orders to suspend the execution of the treaty, and of consequence to declare the country in a state of war. At what time, he desired the House to consider, was it that this extraordinary step had been taken by ministers? It was just about one month from the time that Parliament assembled. Did ministers, when Parliament assembled, inform the House of the extraordinary measures to which they had resorted? They had not said a single word on the subject. In a very few weeks after, it had appeared proper to them to evacuate the Cape, and

then a war virtually intervened; ſtill miniſters continued to obſerve the ſame ſilence. Some hon. members, and particularly an hon. Gent. under the gallery (Mr. H. Browne), whom he muſt ever eſteem, had commended miniſters for the ſilence they had ſo long obſerved on the ſtate of public affairs. He could not at all accede to this doctrine. The ſyſtem purſued by miniſters would, under the cloak of responsibility, deſtroy every conſtitutional principle, of parliamentary right, of diſcuſſion, and inquiry. He ſincerly believed, that if the negotiation, which had lately terminated, had taken a favourable turn, we ſhould have heard nothing of the whole of the orders and counter-orders of miniſters; all would in a ſhort time have been involved in the darkeſt night. Every diſcuſſion would have been diſcountenanced by miniſters, and converſation in the public prints would have ſupplied the place of official documents on a matter of the higheſt importance. It would not be forgotten what the principles were which miniſters had laid down on this ſubject. In caſe of war they were not unwilling to grant what information was required. On the other hand, if there had been a favourable period put to the negotiations, miniſters did not indeed ſay that they would refuſe all explanation, but they reſerved themſelves as to the caſes on which they conſidered ſuch information expedient, uſeful, or neceſſary. Having gone through theſe obſervations, as tending to ſhew the propriety of the two firſt reſolutions, the R. Hon. Gent. proceeded to examine in detail the grounds on which the third reſolution was founded. From the two firſt reſolutions, the third appeared to flow as a neceſſary inference. It involved a variety of ſerious and weighty obſervations. Firſt, in the attacks which had been made on our ſhips by the officers of the French government. One hon. Gent. ſeemed to conſider, that on this point there was no reaſonable ground of complaint. If injuries had been received, Britiſh ſubjects had only to appeal to the national courts of juſtice. But, what he begged the Houſe to conſider were theſe national courts of juſtice. The principal ground of complaint was, that theſe courts of appeal decide only by taking immediate poſeſſion of the prizes ſubmitted to their deciſion. But what does the Firſt Conſul ſay to the complaints of Britiſh ſubjects? Why, he tells them, that they muſt appeal to the tribunals of the country, to the very tribunals from which all the injuſtice complained of had been received. Let juſtice take its courſe, is the language of the Firſt Conſul; and the groſſeſt injuſtice is the courſe which this pretended juſtice invariably purſues. The capture is divided, and the Britiſh claimant is forced to bear thoſe loſſes, againſt which the remonſtrances of miniſters had failed to protect them. In failing to remonſtrate with vigour againſt a ſpecies of aggreſſion, ſo contrary to every principle of intercourſe between civilized nations, miniſters had incurred a very grave and ſerious responſibility. The miſſion of the French Military Conſul did not appear to him to be deſcribed in his Majeſty's declaration, in terms at all correſpondent to the nature of the inſult. It was an outrage in all reſpects ſo groſs, that miniſters ought with much greater ſpirit to have reſented the attempt to violate the uſages of independent nations. It afforded him no inconſiderable degree of ſatisfaction, on a former occaſion, to find that the two eminent and moſt conſiderable members of the Houſe were completely agreed in opinion that the miſſion of thoſe individuals was a groſs inſult, and that in twenty-four hours after their arrival they ought to have been peremptorily required to quit the country. But this was an adequate ſatisfaction; and, if the French government refuſed to give ſatisfaction, there could be no doubt that war, to avenge this national inſult, would have been juſtifiable. In vain, however, had theſe two great characters expreſſed ſuch an opinion. Miniſters had choſen to purſue a courſe totally different. No memorial could be laid before the Houſe, not becauſe they had not remonſtrated, but becauſe the remonſtrance had taken place merely in a verbal conference with the French Ambaſſador. The next point on which he wiſhed to touch, was one which, he ſaid, he conſidered as of the higheſt importance. He meant to allude to the ſituation of Holland.—On this ſubject it alſo afforded him real delight, as he was ſure it muſt have done to the Houſe at large, to find the two Rt. Hon. Gent. (Mr. Pitt and Mr. Fox), to whom he had already alluded, ſpeaking with reſpect to the policy which this country ought to purſue with reſpect to Holland, thoſe ſentiments, which every Engliſhman could not fail cordially to approve. For his own part he had no difficulty in ſaying, that he conſidered the conduct of the French government to the Batavian Republic, independent of all other conſiderations, to be a full, fair, and unanſwerable ground of war. What he had to complain of in the conduct of miniſters was, that they had not ſhewn that zeal and activity with regard to the neceſſity of remonſtrating againſt the violence and the injuſtice of the French government to the Dutch, which their duty to the public imperiouſly called on them to diſplay. So far from making the cauſe of the Batavian Republic diſtinctly the cauſe of this country, they appeared on all occaſions backward to take up the buſineſs. So far from availing themſelves of opportunities which occurred of reviving the ſolid connexion of friendſhip and intereſt which it was ſo obviouſly the mutual intereſt of both countries to maintain, their conduct was marked by weakneſs, irreſolution, and timidity. It had been remarked by one Hon. Gent., that in making their ſtand for Malta, miniſters had made their ſtand for a truly Britiſh object. When he conſidered the manner in which the ſtand was made, whatever he might think of the importance of Malta, he could not perfectly coincide with that ſentiment. But even granting that Malta was a fair Britiſh object, he would aſk of miniſters whether, on their own principles, a ſtand in favour of Holland was not of infinitely more importance in a national point of view. Was there any man who did not think that miniſters ought firmly and manfully to have remonſtrated againſt the continuance of the French troops in Holland? Was there any man who expected that miniſters had neglected making ſuch remonſtrance with energy and ſpirit? It was, he muſt confeſs, to his infinite aſtoniſhment, that he found that no memorial had been preſented to the French government on the ſubject; not that no memorial or remonſtrance had been drawn up with the view of being preſented; not that it had not been tranſmitted to Paris, with the view of being laid before the Firſt Conſul; but that after being in the hands of our ambaſſador, miniſters had at length diſcovered that it would be more wiſe, prudent, and proper,

that it should not be delivered. And on what motive was it that so extraordinary a neglect of the most imperious duty was attempted to be justified? The justification was more humiliating and degrading than the neglect itself. It was not true that ministers were not sensible of the importance of getting the French troops removed from the Batavian Republic: it was not that they did not conceive that, according to the clearest principles of the law of nations, and the most obvious maxims of a national policy, they had an undeniable right to interfere; but they declined interfering, on the base and dishonourable principle, that their interference might have excited the jealousy of the French government. Was such language to be endured in an English Parliament? Was a British Secretary of State to tell a British House of Commons, that a memorial drawn up in behalf of an ancient and valuable ally, in support of the independence of a power with which we have a mutual interest, should, from considerations of prudence, propriety, or wisdom, from a dread of irritating France, be cancelled or buried in oblivion. Such was the disgraceful picture which the conduct of ministers to the Batavian Republic presented. Now, as to their conduct to Swisserland, he confessed that here too ministers seemed to prove highly reprehensible. In offering a few observations on this subject, he begged leave to go back a good deal farther than had been gone by any of those by whom the subject had been mentioned. What he should state in the first instance, he should state on the authority of very prevalent rumours, though he would not take upon himself to say, that these rumours were in all respects accurate as to the facts. He had good reason, however, for believing that as early as the spring of last year, several persons of eminent character, and invested with considerable situations, had come from Swisserland to London, with the view of consulting about the best means of providing against that interference of the French government in their internal affairs they had even then began to dread. He had heard that these individuals, so far from being received with favour or with kindness, it was not till after a solicitation of nearly two months that they could gain admission to any one of his Majesty's ministers. This was a circumstance of considerable importance, and could not fail to make a strong impression on the House. But he wished to point out particularly the application of this circumstance as throwing light on the conduct of ministers. They must have known long before October, when their remonstrance in behalf of Swisserland was presented, what was the real situation of that country. In June the fears, the wishes, and the views of the inhabitants had been explained to them. He wished to know from ministers what circumstances existed to induce them to remonstrate in October, which did not operate with equal force in June? Was not the right of interference equal? Were not the claims of the Swiss as powerful? Was not their situation as much recommended to protection? Was there not then a much greater probability of successful resistance than at the time when the remonstrance was presented, when, in fact, that was done beyond the power of reparation, which it was the object of Mr. Moore's journey to prevent? Did ministers expect that any thing mysterious was to result from this journey? Did they hope to find an Austrian army at Constance, ready to afford protection to a persecuted country. The whole remonstrance evinced neither dignity nor foresight. It was equally destitute of policy, wisdom, or ability.——The memorial had been presented to the French government on the 10th of October, and nothing more is heard of it till the 27th of February, when Ld. Whitworth is instructed to demand an answer to the remonstrance. Was no inquiry made during the whole intermediate space, in what light the memorial was regarded by the French government? Was this a matter of such trifling importance, that ministers chose to overlook it? Was not this refusal to give any answer, an indirect way of telling ministers, that the French government was determined not to permit them to interfere on the Continent? Was it not a tacit mode of establishing what ministers could not but know was the avowed and favourite object of the ambition of the First Consul? Ministers on every consideration of wisdom and policy ought much earlier to have demanded explanation. As to Piedmont, he had to offer a few observations. On a former occasion the situation of the King of Sardinia had given rise to a good deal of discussion. On the debates on the Definitive Treaty, when it was objected that no provison was obtained for that Sovereign, a noble Secretary of State opposite (Ld Hawkesbury) had said, that he had not only lost all right to interference on his behalf on the part of this country, but had, from his conduct, placed himself in the situation of being considered as an enemy. Against such a view of the subject he did protest at the time, and must at all times protest in the strongest terms. Because a Prince who, fighting in our cause, had been stripped of his dominions, and deprived of his all, was for a while obliged to assume the nominal appearance of a foe, he could never admit the doctrines which the Noble Lord had laid down. But on a sudden a most important change is introduced in the situation of this Sovereign. From being something little short of an avowed enemy, he is at once converted into a favourable ally, for whom ample security is to be obtained for all his losses. And how is this new indemnity to be procured? Why, by the rare scheme of the cession of Lampedosa, and by tacking the poor King of Sardinia to the end of the projet, which contains two articles which may be either admitted or not, as the French Minister for Foreign Affairs chooses to receive them. Whether, however, the menace of war or proffer of peace was considered, the whole conduct of ministers to that unfortunate Prince appeared equally disgusting. Now as to the direct subject of Malta. He could not but think that a total want of policy with regard to Russia had been discovered by ministers, while negotiations were going forward on this subject. Russia is allowed on all hands to have been the principal power on which ministers relied for the guarantee of Malta at the time the 10th article of the Treaty was formed. Now, what happened while such was the avowed wish and design of ministers? Ministers signed a Treaty, by one article of which Russia is to be invited to be one of the guarantees of the independence of the Island of Malta; and this ministers do, while at the very moment they were making this requisition, they were conscious that such a guarantee would be directly contrary to a previous arrangement betwixt this Country and Russia. [Here he read an extract from Count

Woronzow's Note on the 12th of November, stating this fact.] The history which he had at present to present to the House on the subject of Malta, was short and simple, unless the Note to which he had alluded was a direct forgery, which there was no reason whatever to suppose. The language of the Emperor of Russia to the ministers of this country, or to the French government is—"You wish me to be one of the guarantees of Malta, agreeably to the tenth article of the Treaty of Amiens, which I am far from wishing to undertake; but if I were willing, I cannot accept the invitation; it is not in my power, as you must be perfectly aware. You know that I have already entered into an agreement with your Court relative to Malta, in its nature entirely contrary to the guarantee you require."—Is it really true that the King's ministers knew that such was the situation of the Emperor of Russia with regard to Malta; and did they really form an article which they must have been conscious at the time could never be fulfilled. Those who objected to the article originally, did so on the ground of the difficulties which could not fail to attend its being carried into execution. How much stronger reasons had ministers to entertain such an opinion. They knew that it was contrary to the wishes of the Emperor of Russia to undertake the guarantee. They knew further, that it was impossible that he could, consistently with a former solemn engagement, undertake, and yet with such knowledge they conclude the Treaty, and gravely call for the guarantee. In the whole annals of diplomacy, he believed, it would be difficult to find any parallel to the conduct of ministers in this point; of a piece with this was the manner in which they had acted with respect to the sale of the priories of the Order of Malta in Spain. They knew, that without revenues the restoration of the Order was utterly impracticable, but, at the very time when the Definitive Treaty was signed, they had every reason for thinking that in Italy, in Bavaria, and in Spain, the revenues of the Order were either confiscated, or on the eve of being confiscated. After all this knowledge they come forward and call for the guarantees, to pave the way for the restoration of the Order. He was anxious to hear what account ministers would be able to give of these circumstances, to which he had now alluded. If they were false, he should rejoice to find that this was the case. If, however, on the other hand they were false, how was it possible for any man to conceive that ministers ever could have entertained the remotest idea of the restoration of the Order of St. John of Jerusalem, in Malta? Before he concluded, he wished to occupy the attention of the House a few moments on the subject of the Cape of Good Hope. Of the importance of the Cape as a naval station, no diversity of opinion prevailed. All those whose habits of life led them to form the most accurate ideas of its value, were those who spoke most highly of its importance. It was merely with the view of an absolute necessity of its surrender at the conclusion of peace, that the cession was ever attempted to be justified. On this ground alone had the expediency of ceding the Cape been argued, both on the Preliminary Articles and the Definitive Treaty. With this impression powerfully operating on his mind, it was, he said, with no small degree of surprise that he found, on referring to the French official papers, that the proposition for ceding the Cape originated with the minister of this country; that it was brought forward even so early as the second conference. He begged leave to press this on the attention of the House, which in the minds of many gentlemen could not fail to excite very considerable surprise. He recurred to the order for retaining the Cape, and on this subject he made some very pointed observations. It was generally understood the orders for the retention were sent out on the 16th of October, with reference to the prospect of a war with France, on account of her unjustifiable interference with Swisserland. He would not now decide how far this was politic or wise. But this, however, he would say, that, if the interference of France with Swisserland was a just ground of war, the same interference with respect to Holland was a still more powerful reason for hostilities. If the occupation of Swisserland by French troops was a fair ground of remonstrance, it surely was not less so with regard to Holland. Now ministers on the 16th of October dispatched orders to retain the Cape of Good Hope, under an apprehension of the renewal of war, on account of the unjust attempts of the French government to impose a form of government on the Swiss people. On the 14th of November they receive a dispatch from the British minister at the Hague, which gives them no room to entertain any hope of the French troops being speedily withdrawn from Holland. Do they discover new jealousy, and adopt new measures of precaution? On the contrary, they send out orders for the evacuation of the Cape! He desired gentlemen to contrast this with the order of the same day on the preceding month, and then judge of the talents or the consistency of ministers. The Rt. Hon. Gent. after recapitulating and enforcing all his arguments, sat down by giving his cordial vote for declaring his Majesty's present ministers unworthy of the confidence of Parliament, and unfit to manage the affairs of the empire at so perilous a crisis.

The CHANCELLOR of the EXCHEQUER said, that much has on the present and on former occasions been remarked upon the treaty of Amiens. I shall not only repeat what I always have felt and said respecting it, viz. that conscientiously and deliberately I entertain the same opinion of it as I did at the time it was immediately under discussion, and that opinion prompts me to pronounce that it was a measure not only wise, prudent, and necessary at the time it was adopted, but that it has since been productive of the most beneficial consequences; nor will I hesitate to affirm, that I should not have now to congratulate you, the House, and the country on the spirit, the vigour, and the unanimity which the present emergency has called forth, were it not for that very treaty which is so loudly arraigned and so severely stigmatized. Of the wisdom and beneficial consequences of that treaty, not only do I continue to retain a hardened sense, but I am ready now to go further, and to affirm that it was also wise and desirable to endeavour to maintain it; and until the causes have occurred which produced the present rupture, causes which have been stated with all possible truth and accuracy, it was the first wish of my heart, and I think I may venture to say, that it was likewise the first wish of the hearts of my colleagues in office, that the peace might have been maintained if it could

be maintained consistently with the honour, the dignity, and the interests of the country. But since our anxious wishes in that respect have been frustrated, and war has necessarily arisen, I trust I am prepared to meet the crisis with the feelings of an Englishman, and, anxious as I was to sheath the sword, I shall now be found no less determined to unsheath it, until it appear that the honour of the country remains untouched, and that its safety and independence are more effectually secured.——Let me now be permitted to advert to what has been rather harshly observed respecting the temper whith his Majesty's ministers are said to have observed respecting the conduct of the French Government. Their desire of peace had no doubt induced them to manifest no inconsiderable share of patience and forbearance; but they felt that the situation of France itself, and the circumstances in which was placed the person who held the chief rule in that country, called for some allowances. These circumstances might seem perhaps for a time to justify the conduct of that person. His mind was so pampered with victories; it was so dazzled with the additional splendour that was shed upon his name, that it might not be fair to expect he would immediately sit down in quiet, and soberly examine what might best belong to his new situation. Under that impression it was judged wise to observe a certain degree of forbearance with respect to what should otherwise be noticed in the French Government at other times, and under other circumstances. A desire to make these allowances produced the forbearance which had marked the conduct of ministers, a conduct to which I feel is now owing the spirit and the energy which the country seems prepared to display. That forbearance which some gentlemen are so prone to censure, ministers, I think have reason to boast of. It has produced no bad consequences, if we are to go to war; it has neither delayed too long, nor has it brought it on one hour too soon. If it had been brought on sooner, we should not be actuated by that spirit and courage which, under the guidance of Providence, will, I trust, enable us to get through the contest with honour and success. I will again repeat it. I am free to confess, the conduct of his Majesty's ministers has argued throughout, an uniform spirit of forbearance, which might appear, perhaps, to have been carried to an extreme; but, I am at the same time warranted in asserting, that in no instance has it exhibited a single proof of unmanly and unbecoming concession; and in no instance has it been marked by any one act of that description. Let me next briefly advert to the language which I am said to have held upon different occasions. I have been charged by the R. Hon. Gent. of holding out expectations of the continuance of peace, which expectations have since been proved not to be justified by circumstances of the moment. His Majesty's ministers have also been charged with with-holding from Parliament those communications which Parliament had a right to expect, and which it was their duty to have made. As far, Sir, as my recollection will bear me back, I am ready to restate the expression to which the R. Hon. Gent. seems to allude. My noble friend (Ld. Hawkesbury) also expressed himself in the same language. We stated that we had no reliance at any time on the continuance of peace, but such as arose from a view of the situation of the enemy, and the consciousness of our own strength. France might have discovered the same restless spirit of ambition that has ever marked her character. Yet, on the occasion to which the R. Hon. Gent. seems to refer, I did say, that the peace might last as long as any other; and I then also added, that the only chance of its continuance arose from the energy of our strength, and the impregnable security of our resources. I was of the same opinion when the preliminaries were discussed. The same language have I held in the debates of last session. But the R. Hon. Gent. observes, that the conduct of the French Government should have inspired different apprehensions. I am sure I am not very much disposed to flatter and compliment the person who is now at the head of the French Government; but still I must say, that I could see nothing in his conduct which led me to believe that it was his policy to renew hostilities. In this I am willing to allow that I may have been deceived; but his sending at the time the remaining navy of France to St. Domingo, his exposing so large a portion both of his naval and military force, were surely pretty reasonable indications of a pacific system; nor can it well be accounted for, but on a principle of peace. It has also been asserted, that in the discussion on his Majesty's speech, on the 23d of November, an assurance was expressed by me, that there was no probability of a rupture. What I then said was in answer to an Hon. Gent. who observed that he was concerned to see that it was likely hostilities would be renewed. All I asserted on the occasion was, that I saw no probability of an immediate rupture at that time. Similar language is said also to have been used by me when the question respecting the income of his R. H. the Prince of Wales was under discussion. I am supposed then to have observed that we were in profound peace. That I mentioned our being at peace, I readily agree, but I do not think that I made use of the word *profound*. The circumstance which led me to make use of the expression was an allusion to the language that was used in 1796, when the same subject was under the consideration of Parliament. It was then observed that it was right to continue the restrictions on the expenditure of his R. H. on account of the extreme difficulties of the times. But I observed, on the occasion alluded to, that the restrictions that might be proper in time of war, might as properly be done away in time of peace, and if I added the word *profound*, it was probably only from the usual combination of the two words. Another conversation has also been referred to, which took place in a discussion on the Consolidated Fund. In that conversation I am again supposed to have said, that I had no expectation that the war would be renewed. What I said then merely referred to the state of our naval and military strength, which I asserted was not intended to answer any views of ambition and aggrandizement, but had only in contemplation the assertion of our just rights, and the maintenance of the blessings of peace. But I am eager now to release the House from any further reference to any language used by me. I wish then to rest their opinion on better authority; let the House, therefore, consult the records of Parliament, and they will there find what were the real sentiments of his Majesty's ministers. Let them consult the speech of his Majesty at the beginning of the ses-

sion, and the address, and even the amendment to the address, which were moved on that occasion. Do they imply any thing like the opinion which I am asserted to have uttered? On the contrary, did not the sentiments there expressed create great anxiety in the minds of some gentlemen? Is it to be supposed that I should have expressed a perfect conviction that no renewal of hostilities would take place, at a time when I was agreeing to a large naval and military establishment? Why should those who proposed such precautions, be imagined to be wholly without any apprehension of war? This surely would argue a strange and unaccountable inconsistency between their opinions and their measures. The preparations then advised and pursued, are therefore the best proof of what were the real sentiments of ministers—and if that proof were not sufficient, an additional one might be found in the observations which I made at the time it was proposed to renew the restriction on the Cash Payment of the Bank, viz. that the state of Europe was the best argument that could be urged in favour of its adoption. Ministers were also accused of not making formal communications to Parliament of the matters that gave rise to the discussions. Such communications might be attended with the worst effects, and therefore it was prudent to with-hold them until the time came for making them with safety. As to the application from Swisserland, it is true that it took place before the meeting of Parliament, but it was then earnestly wished that no resistance should be made on their part. Nor was there then any combination that could give any effect to a remonstrance in their behalf. When that combination afterwards took place, it was too late to make any successful remonstrance. —With regard to Holland, the R. Hon. Gent. complained that strong and vigorous remonstrances had not been made for the removal of the French troops from that country. The contrary would appear from the instructions given to Ld. Whitworth. Hopes were given by Mr. Liston on the 5th November, that the French troops would evacuate Holland; but on the 12th, that expectation was discouraged. The French Government expressed a wish that the troops destined for Louisiana might continue some time longer in the Batavian territories: with which wish the Batavian Government seemed disposed to comply; for they hinted a desire that we should forbear to interpose in their behalf. On the subject of the Cape of Good Hope, much had been said, and more value has been attached to that possession than, perhaps, it deserves. In my opinion it is of much less value than other possessions which his Majesty's ministers were anxious to retain. Besides, the retaining of it would involve a large expense; for during the time we were in possession of it, that expense amounted to no less than two millions. Whatever its value might be estimated at by others, I could never bring myself to imagine that we should forego, for its sake, the chance of retaining more valuable possessions.— The Rt. Hon. Gent. in speaking of Malta, seemed to suppose that an engagement respecting it had been entered into with Russia; no such engagement had taken place, nor any thing approaching to it. Previous to the conclusion of the Preliminaries, a communication had been made to the Russian Government of the heads of the arrangement respecting Malta, and then no objection was made to the arrangement, except to that part which related to a Maltese langue. We afterwards, indeed, agreed to adopt the Russian mode of electing the Grand Master, and hopes were given by Ld. St. Helens that Russia would on her part consent to grant her guarantee, but these hopes were afterwards disappointed. But with respect to any other engagement, there was none, and consequently there was no breach of faith on our part with respect to Russia. The Rt. Hon. Gent. is also pleased to complain of the insults and indignities offered to this country by the French Government; and of their disregard of our remonstrances against them, which, in his mind, is a sufficient ground for war. Whether they have properly remonstrated against it or not, is shewn by the papers on the table: but that the disregard of such remonstrances is an adequate cause of war, I cannot bring myself to agree. Such disregard may indeed afford just ground of jealousy, of complaint and remonstrance, but not of war, as a variety of examples might abundantly prove. With regard to the Commercial Commissioners, and the intention with which it appeared that they were sent into the British dominions, my noble friend remonstrated in the most spirited terms, and he received a disavowal of the purpose for which they were supposed to be intended. But he did not stop here; as soon as all hopes had vanished of concluding a commercial treaty, Government refused to recognise them, and they were instructed to remove from the country. The only one of them who attempted to remain, was sent away from Jersey, by virtue of an order from the Secretary of State's Office, and an intimation was sent to Gen. Andreossi, that unless they all withdrew force would be employed to compel them. Will it now be contended that no remonstrances have been made against the insults and injuries offered to the country by the French Government, or that they have been all disregarded? I venture to hope, that if more energetic measures have not been pursued, the House will make due allowance for the difficultics in which ministers were placed.—Ministers anxiously wished to preserve peace, but notwithstanding that anxiety, the honour of the country was never committed. The documents on the table will exhibit strong marks of forbearance, but not one of unbecoming weakness. While there remained a hope of peace no communication was made to Parliament, because it was thonght that such communications would frustrate rather than promote the attainment of the desirable object. What the conduct of ministers has been throughout, I hope that the House have now before them full and ample communications, and if a single document be wanting, by the help of which the conduct of ministers may be better elucidated, it shall be furnished without delay. In my own and their name I am now ready to say, that in whatever light they may be induced to behold their conduct, ministers are ready to meet their decision. We only call for a decision; we do not venture to ask for approbation: we are anxious, however, to escape censure. If it be merited, we submissively acquiesce in the sentence of the House; but if it be unmerited, let our minds be relieved from the charges which the resolutions hang over us, and let them go unfettered to the discharge of those arduous duties of which they are desirous to acquit themselves with zeal, diligence, and fidelity. Let us know that

we do not go forth in the eyes of the country branded with the stigma of the displeasure of the House; or if we have unfortunately incurred their disapprobation, let it be proved by a direct charge; if the House say the charge is not founded, our gratitude will be unbounded: if they say it is, we shall bow to the decision with the consciousness of having exerted our best endeavours to deserve a better fate.

MR. PITT.—If I possessed a full and clear opinion on the merits of the case, to the extent of either directly negativing or adopting the resolutions which have been proposed, I should, following the unbiassed dictates of my conscience, give my vote on that side to which my judgment inclined. If I agreed with my Rt. Hon. Friend, Mr. Grenville, in thinking that the first steps we ought to take in duty to the public, were by a retrospective survey of the conduct of ministers to judge of their fitness to exercise the functions to which they are called, and if upon that result I were forced to conclude, that the papers on the table afforded evidence of criminality, of incapacity, of misconduct; then, however painful the sacrifice of private feelings might be in taking such a part in the case of individuals whom I respect, I should feel myself bound to concur in an address to his Majesty, for the removal of his ministers. On the other hand, if I were one of those who considered the explanation afforded by ministers upon general points, so clear as to justify a decided negative of the propositions moved by the Hon. Gent. over the way—a negative which would imply approbation, for in such a matter to avoid ground of censure, may be considered the same as to have deserved applause; I should feel myself happy in joining in a decisive negative to the motion. But to this extent, either of approbation or of censure, I am unable to go. I cannot concur in the latter, or in the extent of the charges involved in the propositions which have been moved. Besides, I am aware of the inconveniencies that would result from supporting any measure which has the tendency of the present motion, unless the clearest necessity exists for it. Though I do not dispute the right of this House to address the King for the removal of ministers, yet nothing is more mischievous than a Parliamentary interference by declared censure, rendering the continuance of ministers in office impossible, unless that interference is justified by extraordinary exigency of affairs. Not disputing the right of the House, I contend that the right is to be governed by a sound discretion and by the public interest. We must look to considerations of public expediency and of public safety. There are some questions in the discussion of which Gent. must feel more than they can well express, and this, with regard to the interference of Parliament for removing ministers, is one of them. Admitting even that there were considerable grounds of dissatisfaction at the conduct of ministers, would it tend to promote those exertions, to encourage those sacrifices, which the difficulty and danger of our situation require? Would our means of sustaining the struggle in which we are engaged, and of calling forth those resources necessary for our defence, be improved by cutting short the date of administration, and unsettling the whole system of government? To displace one administration and to introduce a new one is not the work of a day. With all the functions of executive power suspended, with the regular means of communication between Parliament and the Throne interrupted, weeks, nay months, wasted in doubt, uncertainty, and inaction, how could the public safely consent, with a state of things so violent and unnatural as would result from Parliament rendering one administration incapable of exercising any public functions without any other efficient government being obtained in its stead? I will venture to hint also that after such a step any administration that should succeed, be what it might and what it would be, must still depend upon the Crown, would feel itself placed in a most delicate situation. To put the matter as conscientiously and delicately as possible, would any set of men feel their introduction to power in these circumstances to be such as to enable them to discharge, in a manner satisfactory to themselves, the duties which so eventful a period must impose? These are considerations for the Crown and the Public; and they outweigh all those which present themselves, on a partial view of the advantages which could be hoped from a prosecution of that censure and dissolution of administration to which the propositions tend. I am aware that the Rt. Hon. Gent. on the floor, and my friends on the same bench with him, must feel their situation irksome under the weight of a question so important, in which they are personally involved, remaining undecided. Nevertheless, when other sacrifices are demanded for the public interest, personal feelings must be overlooked. Those who, with me, have not made up their minds to the extent of censuring ministers by the adoption of the propositions, or approving their conduct by agreeing to a direct negative, must pursue some middle course. Those who, on the examination of the papers, from any feeling of regret for the steps which ministers took in the negotiation, must consult their conscience on the vote they are to give. They cannot do that which must imply approbation when they do not find from the case made out that approbation has been deserved; neither can they vote severe censure leading to an address for removal, when they do not consider the charges made completely sustained. Having stated the opposite lines of conduct which present themselves in deciding upon the propositions, I do not intend to enter into any detailed discussion of the papers. I wish if good cannot be obtained by continuing to discuss them, comparable to the evil of interrupting the course of our parliamentary duty, to suspend them altogether. Since things more urgent and more important demand our care, let us make good the parliamentary pledge we have given. I shall behold with much greater satisfaction, as first proofs of our determination to support his Majesty with our lives and fortunes, you, presenting a strong Bill of Supply, providing resources, not merely for every demand of public service, but adequate to every scale of exertion; a measure that will display and call forth the means of sustaining the struggle, not merely for one year, but, till we shall have brought it to a successful issue; some measure by which we shall be enabled to complete our army, and to call into action the national strength, and give activity to all the military skill, discipline, and experience we possess. I do not know if gentlemen feel as I do upon this occasion, or if I have been successful in making my feelings un-

derstood. Impressed as I am with those feelings, and unprepared for the decisive vote which is offerred in the direct negative, or affirmative of the propositions before the House, I move that the other orders of the day be now read.

LORD HAWKESBURY. He said, that never before had he risen in Parliament with such feelings as those that now oppressed him. With every wish to do justice to the feelings of his right hon. friend, in making the motion with which he had concluded his speech, he and his colleague should be shrinking from their duty to themselves, if they could accept the compromise offered, between a direct censure and a total acquittal. A charge of criminationn founded upon papers laid on the table, had been brought forward. He asked, if there was an instance in which propositions founded on such documents and involving the conduct of ministers had not been met either with a direct negative or affirmative? A motion of inquiry might be got rid of by a previous question; but when a direct charge was made, grounded on facts, rising out of public documents, a previous question was not the fit way of disposing of the subject. No man was more ready than he was to acknowledge the prerogative of the Crown to choose its ministers; but on the other hand, ministers were responsible to Parliament for the exercise of their functions, and when Parliament saw sufficient grounds of censure they ought to state it, and then ministers, no longer able usefully to serve the public, ought to retire. Independent of private considerations, he must contend that the credit of the government ought to be maintained, particularly at such a crisis as the present. But he had no difficulty in saying, that those who wished to destroy the administration, ought to vote for the resolutions. because that was their obvious tendency, while the vote which his right hon. friend had proposed, would have the effect to discredit government, to leave them discredited, in possession of functions which they could not exercise with honour to themselves nor advantage to the public. His right hon. friend (Mr. Pitt) had declined going into details. He wished, however, that he had afforded some details, that he had pointed out those parts of the conduct of ministers which he could not approve, that they might have an opportunity of meeting any charge, or explaining what was deemed exceptionable. It was possible that in a long, and arduous course of conduct, some points might be liable to objection. In a country like this, however, he always considered it to be the fair principle, both of support and of opposition to ministers, that those who agreed or disagreed with them should do so on a general system. It was not to be expected that all should approve every particular point. They were to overlook minor differences for the sake of giving effect to the general scheme of measures and conduct which they approved. These he had always understood, where the general principles, and he regretted that Mr. Pitt had not made up his mind to act upon them. He asked whether, after surveying the conduct of ministers during a period of unexampled difficulty, he was not now prepared to say yes, or no, directly to a motion of censure?—On the Russian armament, he well remembered that his right hon. friend and himself had not thought it sufficient to get rid of a motion of censure by a previous question, but in circumstances when the government in one point had given up, yet the charges were met boldly, and directly negatived. He wished that, on the present occasion, ministers might either be acquitted or condemned. He was sure, from what he knew of his right hon. friend, that his motives in bringing forward a previous question were pure and upright, but ministers could not acquiesce in the discredit of a suspended censure. If it were the desire of ministers to retain their places at all hazards, they might accept the compromise which had been offered, but he could say for himself and his colleagues, that they had no desire to remain in office longer than they could be useful to their country. If he felt himself reduced to that situation in which he could not serve it with advantage, he would carry the seals to the feet of his gracious Sovereign, and intreat him to appoint a successor more worthy. It was that they might not remain in office discredited, and useless, that he must oppose the previous question; for he could not think of remaining an hour in office after having forfeited the confidence of the House and the good opinion of the country.

MR. CANNING declared, that he rose in discharge of a solemn duty with feelings scarcely inferior to those so creditably manifested by his noble friend. For the first time in his life he was by an over-ruling sense of duty to vote differently from his right hon. friend. He was so far agreed with his noble friend as to give a vote that went to decide the case at once; he felt himself bound to give him that explicit answer. After the ample manner in which the question had been discussed, he merely rose to express the ground of his vote, fearful that a silent vote might be liable to misconstruction. He had often expressed his opinion of his Majesty's government which the papers now before the House most fully confirmed, and as to the first point, shewed clearly that the negotiation was very far from being managed in a statesman-like way. As to the second resolution, that his Majesty's ministers had with-held information to Parliament, and even practised a delusion upon it, relative to the discussions with France, this, he conceived, strictly proved, as Parliament had been taught to expect security, when government knew the peace, of which they boasted, was crumbling into pieces. He wished the House to consider the great injury this species of imposition was to every class of society; it had, by the excess of disappointment, rendered them less adequate to act up to the exigency of their present arduous situation. Hence he was prepared to say, in the language of the resolution, that the conduct of government was such as he explicitly condemned. He thought, that they had neglected many opportunities of resisting, with firmness and effect, the insults and aggressions of France. He differed from the right hon. gent. on the floor (Mr. Addington), and would not think that any extraordinary allowance was to be made to a lawless Usurper. A spirited and timely opposition to his unjust views might, on the contrary, have taught him a different lesson. In another point he differed from that Gent. namely, that the evils of war could never come too late. He, on the contrary, thought that permission in many cases operated as an invitation to proceed, and that if the insult and aggressions of Buonaparté had been properly resisted in the first instance, we now

should have been spared the emergency of war. As to the 4th resolution he thought it justified by the dates of the papers; but it appeared by them that after the Cape was retained, no explanation was demanded on the score on which it was retained. By this, and other surrenders thus made, while dispute was pending, and war obvious, it became of course more difficult to make a stand on that point which ministers themselves admitted was essential. If Malta was the cause of war, all that was done should have been done as bearing on that question; whereas ministers had now given up every thing before the question was brought on. Upon these grounds he proposed to vote directly for the resolutions in censure of ministers. As to the insinuation thrown out by an honourable baronet, that all opposition was only an effort to obtain places, he begged to assure him that it was wholly disregarded by him, and that he never knew it made but by those who were most open to its application. There had been all along a most unusual forbearance on the part of the country and the House towards ministers. Not one motion had been brought forward in opposition to government befor the present. They had been allowed a most unexampled degree of latitude. If they had been harassed with perpetual motions they would have had some right to complain, but never was any administration treated with so much allowance. How far they were now deserving of it, the House and country were to say. From the 23d of November to the 8th of March not a motion had been made. Since the 8th of March, still yet more deference had been shewed.—Nothing had been said till government themselves brought forward some subject connected with public affairs, and until they had agreed to separate their own conduct from their country's cause.

THE MASTER OF THE ROLLS defended the conduct of ministers, and opposed the previous question, because the fair way was to come to a decisive vote. He said it was unfair to try the conduct of ministers on the principles of those who opposed the treaty of Amiens. The part of ministers in concluding the peace was arraigned, and on the same grounds their endeavours to preserve it. Ministers should be tried on the principle recognised and approved by almost the whole nation, that it was fit and proper to endeavour to put an end to the last war.

SIR R. PEELE disapproved of the conduct of ministers since the definitive treaty. He said, that towards the latter end of the last glorious war, ministers had received the national firm of army and navy, in the best condition, but since that time a great part of the army had been disbanded, and the strength of the navy had been allowed to fall away. He did not think that ministers were adequate to the present crisis.

THE SECRETARY AT WAR called for a decisive vote on the same grounds with his colleagues. He said that the militia, and a certain portion of the army, had been disbanded on peace, but the military force of this country was never in a better state than it was at present. He defended the conduct of the Admiralty. He shewed that we had a naval force in every quarter superior to the enemy; and in Europe superior to that of the French by a much greater proportion than had ever happened on the breaking out of any war.

HOUSE OF LORDS.

Mondy, June 6. (Min. 872,)

[CONDUCT OF MINISTERS.]—EARL FITZWILLIAM, pursuant to the notice he had given, rose, and after a short introductory speech, expressive of his strong disapprobation of the conduct of ministers, since the negotiation of the late treaties of peace, brought forward certain resolutions, founded on the positions advanced in the course of his speech, and implying a censure upon his Majesty's ministers.

THE DUKE OF CLARENCE observed, that notwithstanding his personal respect for the noble earl, whose parliamentary conduct ever was manly, and consistent, yet holding the opinions he did, he could not support the resolution just moved. With respect to for ministers, he thought they deserved thanks, even having so long procured the blessings of peace as they had done. He was well aware of the difficulties of any negotiation with France; that such could be brought to a pacific issue, was matter of surprise to him, and under these impressions he regarded it as a matter of experiment. With respect to the preliminaries, when he considered the circumstances in which the country was placed at that time, they ought to have been satisfactory: but into the subject of the definitive treaty, he should not then enter. He could not avoid adverting to the gross misconduct of the late ministers, which had brought the country into that situation in which the present ministers found it; and he avowed his readiness to meet any noble lord with respect to any military event which had taken place since the marching of the Guards in February, 1793, to the period of the present ministers coming into power. With respect to the affair of Malta, he expressed his opinion, that under the circumstances of the case, ministers were justified in maintaining it; what reductions of force had taken place were a proof of the hope ministers entertained of being able to execute the treaty. He alluded to the language of one of his Majesty's late speeches, considering it as dictated by ministers, which he commended as wise, moderate, and firm; and also the prudence of ministers in having the naval force of the country, at the time of delivering the message, nearly in as good a state as in a period of war. He adverted to the conduct of ministers with respect to the affair of Swisserland, and the temporary retention of the Cape, which H. R. H. approved; and he alluded to the insolent menaces of the enemy, that England could not meet France single-handed: the experience of ages and the page of history refuted this untruth, and evinced that England never encountered France with so much energy, effect, or advantage, as when she was single handed, "And," added his royal highness, "he who makes such an assertion "is either a liar in his heart, or a fool, that should "be sent to school to learn better." He gave ministers full credit for their endeavours to maintain peace, as long as it could consistently be done; and concluded by warmly declaring his conviction, that the country suffered much from the gross misconduct of his Majesty's late ministers; and that sooner than they should again be brought into his Majesty's councils, he would do any thing to keep the present ministers in power,

LORD COVENTRY said, that ministers had a third enemy to contend with, and that was a party, which

was excellently described in those lines of Pope applied to Addison, beginning,

"Willing to wound, and yet afraid to strike."

EARL MINTO supported the resolutions.—*As an accurate report of his Lordship's eloquent speech has been published, it is thought unnecessary to attempt any abridgement of it here.*

EARL GROSVENOR thought the resolutions could not be for a moment entertained by the House, after the decided vote in favour of ministers given on a former evening. He was anxious that the noble lord who brought them forward should consent to their being withdrawn. He vindicated the whole of the conduct of ministers, which he thought deserving of the confidence of parliament and the country.

LORD BOLTON said, that though in some parts of the conduct of ministers he had doubts of its propriety, yet on the whole he felt himself inclined to give it his general approbation. He rejoiced that the French government had not accepted of the propositions of ministers relative to Malta. Fortunately it was now in our possession, and he trusted it never would be relinquished.

LORD WARWICK, though he greatly approved of the spirit of the resolution, wished the noble earl to withdraw his motion, as under the present circumstances he thought the discussion could not be productive of advantage to the country.

THE EARL OF SCARBOROUGH defended the conduct of the late administration, which he thought had saved every thing valuable in this world from destruction. As for the measures of the present ministers they had been such as he could by no means approve.

LORD DE DUNSTANVILLE called the attention of their lordships to the treaty of Amiens, (which he now considered as dead and buried), to the unfavourable circumstances under which it was made. If peace had not then been made, the tables of both Houses of parliament would have been covered with petitions, which would lead to the conclusion of peace under still more unfavourable circumstances. He vindicated the conduct of ministers during the late negotiation, for which, instead of censure, he deemed them intitled to the thanks of the House.

THE EARL OF CARYSFORT censured ministers for most of the prominent parts of their conduct; he condemned the late pacification, and contrasted the situation of the country prior to that period, in point of acquired territory and extensive force, with its present situation. He blamed ministers for their want of decision and vigour, and thought their conduct justified the resolutions.

THE EARL OF DARNLEY expressed his acquiescence with what had fallen from a royal Duke, as to the misconduct of the late ministers with respect to the war. He did not in every point approve of the conduct of the present ministers, and alluded to some where he thought they might have acted better, but thought them upon the whole entitled to confidence; and as they appeared to possess the confidence of the Sovereign, he hoped they would profit by their recent experience, and conduct the war with spirit, vigour and energy, to an honourable and successful termination.

LORD HOBART assured the House that the army had been no where reduced where it could possibly be avoided. Every body was aware that the militia must necessarily be reduced on the conclusion of articles of peace; the period of the fencibles' service also terminated with the war. The service of many of the army was also at an end with the war; but as many as could be retained, by giving them a high bounty, were retained. As to the orders and counter-orders which some noble lords had noticed in such terms of severity, the House would please to observe that it was not a partial or incomplete measure confined to only one or two places; the same sort of orders and counter-orders were sent out to every island in the West Indies, as well as to the Cape. If Austria or the other great continental powers did not think fit to interfere, to check the ambition of the First Consul after the signing of the treaty of Amiens, he did not think that we should single-handed contend about the Cape; and the answers received from other courts might be deemed a sufficient reason for ministers altering their conduct. The Cape had last war cost 2½ millions, which was more than its value could be fairly estimated at for that period. He had also the best naval authority for stating, that it was not absolutely necessary to stop at the Cape in going to the East Indies, and coming back, it was only necessary, in case of tempestuous weather. It had been stated, on the authority of rumour, in another place, that he had refused to have any conference with the Maltese deputies in his office. This he positively denied, and assured the House that he had two meetings with those Gentlemen upon the affairs of their unhappy country.

LORD GRENVILLE stated, that the present charge was entirely the reverse of that adopted by other noble lords. They were of opinion that ministers were culpable for not going to war sooner, he charged them with criminality in not avoiding the war altogether. He then went over the different grounds of a difference of sentiment which had been urged on each side of the question. If it could be clearly proved, however, that ministers had not been guilty of neglecting to accept the mediation of Russia, or any other power pacifically inclined, he should think them entitled to a verdict of acquittal. But, if on the other hand, it was proved to the satisfaction of the House that such mediation had ben offered, and that they had neglected to accept the offer, they were subject to a most awful responsibility. An unofficial paper, most certainly, but to which he had every reason to give credit, had asserted that such an offer had been made, but that, "one of the contracting parties had with-held their assent." He could not suppose—it was not by any means probable, that France was this contracting power; England therefore must be the power which refused. A noble ld. opposite had referred to the peace of 1763, and contrassted it with the navy we had now at our command. That could not, on mature deliberation, be considered a fair mode of comparison; we should take into the account the relative and general situation of Europe, and then draw a balance of their respctive force. The imprisonnment of captain d'Auvergne: the insolent declaration of the French, that they would consider the Alien Act as an infraction of the treaty; the non-fulfilment of the second article,

which respects the payment of money for the maintenance of prisoners, and against which no remonstrance had been made by our ministers; at least no such remonstrance appeared from the papers on their lordships' table. The first remonstrance was on the 14th of Nov., which was after the surrender of the Cape, and that was about the French troops occupying Holland, though it was a matter of general notoriety that their keeping possession of Holland with an armed force was not then any thing novel in the eyes of Europe. The charge which he most positively brought against miuisters was that of a breach of faith with Austria, a breach of faith with Russia and Prussia, and above all a breach of faith with France. He charged ministers with deceiving France, and with deceiving our allies, under the idea of fulfilling an article which they knew it was impossible to be fulfilled. It was now said that, if Sebastiani had not made his report, we should not now be at war. At first satisfaction for what had passed was demanded, and then security for the future, and their they rested their ultimatum. All this it appeared obvious to his mind, might have been obviated by the acceptance of proffered mediation.

THE LORD CHANCELLOR justified the conduct of ministers on all the points, which he called the counts of an indictment preferred against them. As to the cessions by the treaty of Amiens, Parliament and the country had approved the peace, and the late ministers, by their negotiation at Lisle, declared their opinion respecting the necessity of peace. As to the Italian Republic, Piedmont and Parma, the fate of these countries was decided before the treaty of Amiens, and therefore could not have furnished a ground of war. As to Swisserland, this was certainly the only country which manifested a strong feeling for its oppression, and appeared disposed to resist it; but the continental powers being indifferent, it was not possible for us to save Swisserland. As to the conduct of ministers respecting the Cape, the other conquests had been restored, and the Cape of Good Hope alone was certainly not worth a war; even if it was worth a war, it appeared doubtful at that time whether it also had not been surrendered. Under these circumstances, if we were disposed to go to war singly, there were no advantages to be gained. The government where therefore prepared to give up Malta according to the treaty, when the report of Sebastiani was published, developing such projects, that government thought it necessary to retain Malta. He concluded by an appeal to the House and the country for a vigorous prosecution of the contest into which we were forced by the hostile conduct of France.

EARL SPENCER said, that all he had heard did but confirm him in his opinion of the necessity of the resolutions, He supported the arguments of lord Grenville in favour of them, and condemned ministers as grossly inattentive to their duty, and as having sacrificed the honour and the dignity of the country.

HOUSE OF COMMONS.

Monday, June 6. (Min. 874.)

[ARMY ESTIMATES.]—THE SECRETARY AT WAR said, that the remaining army estimates, consisted of two parts:—One of them related to those estimates that were not presented to the House at the commencement of the sessions. They were the usual estimates for supplementary officers, pensioners at the Royal Hospitals at Chelsea and Kilmainham, the Royal Military College, and the Military Asylum. These estimates could not be presented before, because the whole of the expense could not be assertained until the seven Garrison Battalions were complete. The second head of estimates related to some augmentation that had been ordered in the regular forces, the militia and supplementary militia, and to some further expenses which had taken place in the Barrack Department. These estimates which related to the supplementary officers, pensioners at Chelsea and Kilmainham, &c. were the same as before. The expense of the Royal Military College was greater than that of last year, it amounted to 8110l. This increase was owing to a second company of Cadets being formed. This institution being found to answer so well all the purposes for which it was formed, it had been thought expedient to add a second company of Cadets. Any body who considered fairly the nature of this institution, would, he was sure, agree with him, that it was an expense well laid out on the part of the public. He trusted that it was an institution that would be constantly kept up, as it afforded to young men destined for the army, better means of instructions than they could obtain in this country: he hoped also, that it would always be managed with economy, and without any partiality or favour. He now came to the Royal Military Asylum; for this service he should move for a sum of 31,000 l. of this sum 21,000 l. was to be applied to complete the building. He was sorry to say, that the buildings which were completed, cost more than had been originally estimated, though every attempt had been made to make the estimates as accurate as possible.—This increase of the expense beyond the estimate arose partly from this circumstance, viz. that soon after the estimate was formed the dispute with the Northern Powers took place, which caused a great increase in the price of many of the articles used in the building—This, however, would he hoped be the whole expense of the building, and he should only ask 10,000l. for fitting up the rooms, &c. He came now to the second head of estimates, viz. those which related to the augmentation of the forces.—The augmentation which had been ordered was not to a very considerable extent, for the committee would recollect that when the army was voted in December last, it was upon an unusually high establishment, the highest that ever was proposed in time of peace. It was thought that completing the army by a small augmentation would be sufficient—as the army voted was 130,000 men.—The augmentation that would take place, would be principally in the cavalry. The committee would recollect, that by the plan which he proposed in December last, ten men per troop of the cavalry were to remain dismounted; those men were now to be mounted, and their place to be supplied with recruits; this would make 70 men per troop. There was also to be an augmentation in the foot-guards. The next augmentation arose from a regulation which had been adopted of abolishing the field-officers having companies; in consequence of which there would be three additional captains in each regiment. He would not now enter into any arguments upon the propriety of this regulation, he would only say, that it was one that met with the approbation of the most experienced officers of the army; by this plan the situation of captain-lieutenant would be abolished, and he

would of course have one of the three companies, another of the companies was to be given to a captain on half pay; and the senior lieutenant was to have the third company on condition of raising 30 men, and the senior ensign to succeed him on raising 10 men. The expence of this measure would be about 35,000l. viz. 26,000 for Great Britain, and 9000 for Ireland. The greatest part of the expence of these estimates arose from the militia, it amount to a sum of 1,267,000l. for Great Britain, and 480,497l. for Ireland. Contingencies, 13,345l. cloathing, 143,891l. The militia of Great Britain would amount to 60,893, supplementary militia 24 000, making (exclusive of officers, non commiss oned officers, &c.) the number of rank and file above 73,000 men. The militia of Ireland, amounted to 18,000 men, making altogether above 90,000 men. And he was happy to say, that a very short time indeed would elapse before they were all embodied and fit for service,—The additional expense for the supplementary militia, would amount to416,000l. the additional expence of the barrack department 15,000l., making the total expense for Great Britain, 2,540,000l. and for Ireland, 570,000l. being altogether, 3,110,000l.

MR. WINDHAM said, that he had not objection to any of the details which the right hon. gent. had gone into except one, which appeared to be calculated to revive the practice of raising men for the rank, and which was productive of such inconvenience that he should always object to it. It was resorted to in time of necessity, when the inconvenience which it was calculated to produce was not foreseen; but he should be sorry to see it revived again. His object in rising, was not so much to comment upon the details which had been laid before the House, as to take the opportunity, which the army estimates always afforded, of making some observations upon the war and the general state of the country. The first subject upon which he should make any observations was one upon which he had touched on a former occasion: he meant, the propriety of having so large a part of our force to consist of militia. He thought the scale upon which it was proposed to form the military force was wrong, because the population of the country was such, that it would not afford, at once, a large militia and a large army. In fact, the system pursued of late years, if it did not "suckle armies and dry-nurse the land," must at least, be said to suckle the militia and dry-nurse the army. If such large bounties were given to men who engaged only for a few years, and for home-service, how was it to be supposed, that for a small bounty men would be induced to enter the army, to serve for life and in every quarter of the globe? The army, in such a state of things, must not only stand still, it must go backwards, for it was not to be conceived, that, with these high bribes, desertion would not become general: so that the army would, not only get no new men, but lose many of those whom they already had. In fact, desertion, it was well known, had become a sort of trade. Men got a livelihood by passing from corps to corps, and performing, what they called, the grand tour. If, at the end of the tour the man remained in the service, the only effect of all these bounties was, that you had obtained a soldier in the militia or fencibles, in exchange for a soldier in the regular army. One reason, perhaps, for this anxiety for augmenting the militia, was, that the money with which they were levied, did not come in the shape of a direct tax, and therefore, it was thought, would pass without notice. But this was a poor and criminal policy. The money, though not raised avowedly by Parliament, was equally drawn from the pockets of the people. The man who paid this tax for procuring a militia-man, was less able, as well as less willing to pay other taxes. The nation equally paid: the only difference was, that they paid to a greater amount, and in a far more incommodious manner. His general objection, however, to the measure was, that it would create a militia and not an army. This was an universal objection, applicable to all times, though varying in its force, according to circumstances, and according to the nature of the war in which we might happen to be engaged. It was the duty of those entrusted with the government of a country, in the first place, to form in their own minds, some idea of the nature of the war which they were to carry on, and then to regulate the public force accordingly. When this was done, it was easy to form a notion of the nature of a war which a government had in view, from the nature of the establishment which they proposed to make. He was afraid, however, that the inference in this case, was not a very sure one. It looked as if the government had gone into the war, without at all considering the nature of it, and, in truth, without plan of any sort. After endeavouring to preserve peace as long as they could, and longer than they ought, they were forced into war, when all their means of concession and submission were exhausted, and when no option was left; and finding themselves in that situation, they seemed to have no idea of doing any thing but what they understood to have been usual on such occasions, and what the situation itself, indeed, necessarily forced upon them. They issued press-warrants, they offered bounties, they sent out recruiting parties, they put ships in commission, they did whatever they were told was regular and proper. It was indeed curious to hear the enumeration of their services in these respects, and the list of articles for which they took credit. These extended back, beyond the period when war was become inevitable. "Did we "not," said the hon. Gent., "in the midst of "profound peace, and in a few months after "signing a definitive treaty, call upon the "country for two successive augmentations of "army and navy? Afterwards, when the "danger became more pressing, and we were

" obliged to say something, did we not bring " a message to the House, true, perhaps, in " the mere terms of it, but wholly untrue " as to the sense in which it was sure to be " understood? When, by these means, war " was, as it were, declared, did we not, like " good watchmen of the state, immediately " spring our rattles, and call out the militia? " What is it that we have left undone?" He admitted, that all these merits claimed by ministers were justly due to them; but it did not follow from thence, that they had any just views of their situation, or indeed, any distinct views at all. If they could be said to have any plan at all, it seemed to be one of strict defence; that is to say, we were to wait passively, until we could find an opportunity of sneaking into a peace, as we had just sneaked out of one. If we voluntarily confined ourselves to this sort of war, nothing could be said too bad of our *counsels*, but if we were really forced to it, nothing could be more deplorable than our *situation*. The worst of all conditions in which a country or an individual could be placed, was one, in which it would be possible to lose and impossible to win. There was not an instance to be found in history, in which a nation successfully carried on a system of pure defence. Every body knew the advantage which assailants had over those whom they attacked; and that which was true of an individual was true of a nation. So far as to the nature of the force now proposed, considered as indicating the views of ministers, or as determining the character of the war, whether intended by ministers or not: but it remained to be considered how far a force of this sort was good, even as a mere defensive force. It appeared to him that for the purposes of defence, you ought to have as large a regular force as possible, because regular forces could only be opposed by regular forces: it was " diamond cut diamond". But even adopting the system that ministers were acting upon, and admitting the number of men to be realized, he should contend that there would not be men enough, supposing an invasion to take place. And in the mean time that such exertions were made to raise an ineffectual force, the recruiting of an army, the force certainly most effectual, would be essentially impeded. If, at last, it would be necessary to have recourse to more extensive and energetic means of raising the force of the country, it would, in his opinion, be better to begin with them. He would have a force still less regular than the militia, but one that should not stand in the way of recruiting the army. Some such measure must in the end, be resorted to; and, in his opinion, it would be better to adopt it in the first instance; at the same time that he would employ every means of recruiting the army, because we must not only have a large army now, but always, at least until some very material change took place on the continent. For the purposes of mere defence, therefore, this was a bad force; but he trusted that our object was not confined merely to defence. The cause which drew us into the present war, was, the destruction of the balance of power in Europe; and, in consequence thereof, the great acquisition of power by one state. Now, when the balance of power was destroyed, he knew but two ways in nature of restoring it, either by taking some weight out of one scale, or by putting some into the other; unless, indeed, you might forcibly hold both scales even, by means of an external force, such as a powerful mediator or guarantee. But, generally speaking, the only means we had to adopt, was either to strengthen ourselves or to weaken the enemy; or we could not exist as an independent nation. This being the case, it remained only to consider the order in which these subjects were to be taken, and what the means by which they might severally be pursued. In touching upon this point fairly, he would refer for a moment to the events of last war. In that war, it appeared to him that the plan of weakening the enemy was not only the most proper and most effectual, but, by far, the shortest and most practicable. He thought it would be more easy to kill the revolutionary tiger, than to chain or to cage him. To that object, therefore, almost the whole force of this country ought to have been directed, though there was no reason, in the meanwhile, that the other object should have been lost sight of. The same objects that existed at that time, exist at present, though, certainly, the progress of time might have changed the relations of these objects, as well as the means of attaining them. That which before was practicable might now be hopeless; and, in that case, could be no longer an object of pursuit: for he knew of no situation so deplorable, as that of remaining, with respect to France, in our present relative state, with no means of augmentating our own force, or of diminishing that of our rival. Whatever might be thought, therefore, of the project of reducing the power of France; in the only way in which it can be reduced, namely, by co-operation with parties within, it had, at least, this recommendation, that if practicable at all, it was at once the most effectual and the most easy. Whether we believed or not in the truth of the notion, it was, at least, one which we must wish to be true. As Mrs. Cole said of the Roman Catholic religion, " that it was a most comfortable persuasion to one of her calling;" so we may say, that a possible co-operation with royalists and destruction of the present revolutionary government, or, which is the same thing, restoration of the ancient monarchy, is a very comfortable persuasion to persons in our situation. If some means of this kind were not adopted, the prospect before us would be gloomy indeed, in spite even of that mediation, of which Gent. had talked so much, but from which, for his own part, he so little hoped any good, in which he foresaw so much possible future mischief, and in which he felt so much present disgrace. We were to

consider what the task was, of restoring the lost balance of Europe, by the addition of consequence and power to ourselves. The treaty of Amiens had, by one stroke, taken from the power and consequence of this country, in point of actual possessions, to say nothing of character, what we might be well satisfied if ten yeas of successful war would replace. We had, in one fatal moment, so fallen to leeward, that unless some fortunate shift of wind should come to favour us, we might be beating for years and years against a head-sea without regaining our former station. If he were asked what his hopes were of doing any thing at this moment, either in France itself or on the rest of the continent (the powers of the continent could hardly be considered in existence), he should certainly say "very little," thanks to the treaty of Amiens, which had given away the powers and the mind of the continent from us, and had made the whole coast of Europe an iron-bound coast to us, not affording an inlet or a creek into which we could run a cutter. It might be said, that the powers of the continent detested France; he believed they did: but did Gent. never hear of that maxim of tyrants, "*Oderint dum metuant?*" However strong their hatred might be, while there was another feeling as strong as it is at present, namely, fear, it mattered little whether they loved or hated her. He, however, could not entirely abandon the hope, which he had placed in the exertions which the continent would, some time or other, make for itself, and therefore he was the more hostile against the scheme of policy now proposed, because it would not only render such exertions infinitely less probable, but would make us incapable of taking advantage of them should they be made. He was not only dissatisfied with the policy which ministers seemed inclined to adopt, but with the language which they held. It was, with peculiar regret, that he read the passage at the end of his Majesty's declaration, which was calculated to prove to the continent, that we looked merely to British objects, and that we should be ready, if those objects were attained, to give them up as we had done before. He knew very well what the sort of clamour was which this observation was calculated to excite. It would be said, "you are fighting "for the Bourbons, for the Royalists, for Monarchy, &c." He must still, he feared, retain his opinion; even if he was wrong it could not be said that he was an obstinate sinner: his plans never having been tried, his opinions were, at least, not contradicted by experience. This was more than could be said by the hon. Gent. who made the experiment of the treaty of Amiens. His opinions had certainly been so contradicted. He did not expect of the hon. Gent. a confession that these opinions were originally wrong, that, perhaps, would be too much to look for, even from his candour, but he might, perhaps, admit, that they had not been exactly verified by the event.—When Mr. Whiston predicted that on a certain day, a comet would appear which would destroy the earth; and, when the day came and no comet appeared, he believed that though Mr. Whiston might not acknowledge that his prediction was foolish or founded on principles improperly chosen, he had no objection to own, when the day was past, and mankind safe, that the principles of his calculation had for once deceived him. So he thought that whatever wisdom the right hon. Gent. might think he had displayed in making the treaty of Amiens, he could now have no great hesitation in admitting that it had not quite answered his expectation. He did not know what might be the result of the experiments he had recommended, but he protested against a declaration, that they should not be tried at all. It was his opinion, that if England would make an open, grand declaration, in the face of Europe, of her views and objects, he did not mean a romantic, chivalrous declaration, but one that would draw with us the sympathy and feeling of all Europe, it would contribute more than any single act, to terminate the calamities which now oppressed the world. Much was always said of the great power of the French republic, but it was by no means right to confound together ideas so separate as those of strength and durability. Nothing was more intelligible than that a nation or individual might be at the period of their greatest strength, when they touched the very moment of their dissolution. The power of France was, at this time, indisputable; but how long that power would exist was a different question. That we wished and hoped to see an end to it, it was impossible for us to deny, notwithstanding all the dissembling and crouching language which we held at certain times, and all the boastful and vapouring which we indulged in at others, That prospect was at the bottom of all our hopes. Every thing which he saw in our plans and counsels, as well as in those who were to conduct them, was calculated to throw him into despair; but he begged that this declaration might not be understood as implying any distrust in the resources and strength of the country, supposing them to be properly applied. Much as he thought of the dangers of invasion (and few persons were inclined to treat them more seriously), they were only formidable to him from the idea of the manner in which they might possibly be met. We were in the state of a ship in a storm. The vessel was tight and well-found, and nothing was wanted but care and conduct, to enable it to brave all the fury of the elements. But if the officers were ignorant or negligent, if the crew were drunken and mutinous, if all proper precautions were not taken, and all proper exertions used, down she might go with all the means of safety in her power. We must not dissemble to ourselves the violence of the storm, with which we were threatened. We had to deal with an adversary who would not do things by halves; and who had the re-

sources of a continent at his command. Against such an attack he confessed he wished to have something more than the mere loose notions, and vapouring talk of which we heard so much in that House. He entertained, as well as others, a high idea of the native courage of the people of this country: but he did not quite understand the notion, which many seemed to rely on with confidence, of stopping armies by peasantry. An army incapable of recruiting itself, may be finally worn down by the continued attacks even of irregular troops; but he wished to know where the examples were to be found of armies stopped by such troops, unless, possibly in circumstances far different from the present. He believed that none of the generals whose names were familiar to us, either in earlier or more recent history, when they had beaten the army before them, ever asked leave of the peasantry of the country, to pursue their march in whatever direction they thought proper. Such notions belonged only to men, who were totally ignorant of what they were talking about, who had never heard a gun fired in anger,

> "Nor in the division of a battle knew
> "More than a spinster."

Men who had really pretensions to be heard upon such subjects, who spoke of what they knew and had seen, the men upon whom we must rely, and upon whom we might with confidence rely, should dangers of the sort in question really arise: these men would talk a different language, would tell us that invasion was neither to be despised nor dreaded, or was only to be dreaded, should it happen that by a foolish and ignorant policy it had previously been despised.—Upon the whole, whether he considered the interest of the country with a view to the war in general, or to the narrower and more immediate object of defence, he must equally condemn the present system, which went to create a great and disproportionate militia force, and by the same act, as well as by the means of carrying into effect, to impoverish and keep down the army.

MR. PITT said, he should say only a very few words upon this subject, he merely wished to ask whether the force which it was now proposed to vote, included the whole of the regular force that was to be proposed, or whether they were to expect in the present session, any more substantial augmentation to that which certainly was an unusually large peace establishment? He was averse to discussing in that House any question respecting the amount of the force necessary for the public safety. That ought certainly to rest in the first instance with ministers under the responsibility of their situation. It was a confidence that Parliament ought to place in them, and if they did not possess that confidence they ought not to retain their situation. But he did not apprehend that it was proper to discuss in that House the distribution of the public force, he therefore would not enter into any detail upon the subject. To ministers it belonged to prepare such a plan, and the House and the country looked for it with just uneasiness. It ought to be brought forward promptly; no time was to be lost; for in our present situation there was none.

THE SECRETARY AT WAR said, that in reply to the question of his right honourable friend, he had the satisfaction to say that a plan was under the consideration of his Majesty's ministers, which, he trusted, would be found fully substantial and efficacious, calculated to repel every danger, and to enable the country to put forth its arms for the complete attainment of the objects of the war. When his right honourable Friend (Mr. Windham) talked of a mere defensive war, he in fact conjured up a phantom in order to combat it, for it was by no means the purpose of ministers to confine their operations purely to defence. They had not shewn a disposition to leave any measure untried that could tend to the safety of the nation, and Gentlemen might rely that nothing would be omitted which could qualify us to strike the severest and strongest blows at the enemy. He spoke of arrangements subsequent to the treaty of Amiens; we had been in that short period of peace active in many respects; we had been put on a much stronger footing than we had been in any former period of peace. Our regular army was much more considerable now than it had been at the commencement of any war; our militia in like manner was in a much better state for military purposes than it had been at any former commencement of a war; we had in every respect a much greater force than we ever had before at the beginning of hostilities; but was he saying that this was therefore sufficient? No, he was not; but the energy of the country must be called forth, and there must be such a disposal of that force as to shew our enemies, of the disposition of its people, of its internal vigour, of its resources, and almost every thing about it, for very ignorant indeed were our enemies of all these things; but it was not a vote for a large sum of money that would raise a large disposable force, that would depend much more on the nature of the measures to be adopted for raising such force, than upon the vote for paying them; and he flattered himself that the measures about to be proposed for that purpose would be efficacious; that the men would be furnished as they should be found to be necessary, and they should be proposed to be under the command of officers of the regular troops, and a militia force was intended to be as a supplement to the regular army; and after this plan was completed, then there would remain to be done that which it would be in this country more easy perhaps to do than the rest of it, namely, to find the money. Voting a number of men however great, and voting a sum of money, however large, to pay them, did not appear to him to be wise, until the plan for raising the men shall have been matured, because until that was done it was only raising men upon paper, which was not what we wanted; neither did large votes, without method of carrying them into effect, prove very useful. Having said thus much generally, he would take now up a few of the points brought forward by the right honourable gentleman opposite to him, but not all of them, for of some he could not help saying, that although they were like every thing delivered by that right honourable gent., very sensible, yet in this case they did not appear to him to have an immediate reference to the question now before the committee. He could not help thinking that the right honourable gentleman had given way a little too much to a tone of despondency, as applicable either to the manner in which we were now preparing for war, or to the manner in which we concluded peace. He agreed however with the right honourable gentleman, it was right to state the situation of this country fairly, to state even the chance of an invasion, but he thought he might be permitted to say that the right honourable gentleman had considered that subject a little

too broadly. No man would say that the great military force of France had not great power; of that we must be all aware, and our measures must be with reference not only to this idea, or for the defence and security of the realm, but also to act against the enemy as occasion may occur. He thought it was high time that we should shew, not by words, but actions, we are not to be insulted by France, that we are not to be intimidated by any menace they may throw out, that it is not their shewing themselves in large numbers opposite to our coasts, that is to throw us into a panic.—"That they may throw a body of men into our country is practicable," said he. —"It may be done certainly under favourable circumstances, that is, if they be not sunk in the attempt; but it would not be long before they would be made prisoners; neither do I think that any of them would return. I think that it is time to shew that we are not to be taunted in this way with invasion, or intimidated with the threat of it." There was another part of the speech of the right honourable gentleman, which he should now shortly notice: he seemed to suppose that by the treaty of Amiens, we had relinquished for ever all right to consider of the affairs of the continent; and he said, that for the last ten years we had gone very much to leeward: that was not so. As to the treaty of Amiens, he approved of it at the time, under all the circumstances under which it was concluded. He was satisfied, even now, of the propriety of this country having entered into that treaty; but it was not correct to say, that by that treaty we had given up the continent; we had done no such thing; nor was it our inclination to do any think like it. If there had been any chance of any continental co-operations with us—if we had had the continuance of any continental alliance, then the peace of Amiens was a peace of which he should not have approved; but as we had no continental alliance left for carrying on the war, he thought that no advantage was to have been gained by the prosecution of the war; nor did he see how any one could expect any advantage to us by that continuance, under such circumstances. We therefore had agreed to the peace, and, in his opinion, we acted wisely by so doing. But the right honourable gentleman had asked, whether the last peace was not merely an experiment? Yes, it was; and whether it had not failed? Why, yes it had failed, as was evinced by our being now at war. The publication of our discussion with France had roused the indignation of the people to a pitch which he conceived to have decided the character of the cause in which we are engaged, for that it has united them, and made them, as it were, one man against France, and taught them to regard France as the oppressor of Europe in general, and one who wished to be the oppressor of this country. To have this sentiment thoroughly rooted in the hearts of Englishmen, was, to speak in the language of another gentleman on another occasion, a thing worth ten or twenty West-India Islands. But the R. H. gentleman had said, that the hopes of this country were gone. He did not think so. He did not think that we were a people likely to give up our hopes. He found nothing in the history of this country to justify that idea; nor did he think there was any thing in the conduct of this country to warrant the expression that we had given up all concerns with the affairs of the continent. On the contrary, the history of this country proved that our object had, since the revolution, been to preserve the balance of power on the continent; we had made a glorious effort to do so in the last war—we had continued in the contest for that purpose long after every British object had been attained, and as long as it was possible with any hopes of making an impression favourable to the general interests of Europe; we had continued in the contest until we were left without alliance for perseverance in it; and then we did what, under such circumstances, it was wise in us to do. The right honourable gentleman, after having charged us with neglecting our true interests, by adopting a system purely defensive, proceeded to state that the force we had hitherto proposed to adopt is not applicable to our case, and alluded to the militia. Now upon this subject he must be allowed to lament a little that the right honourable gentleman had not brought forward his objection to this system at the time it was first brought before the House, because abundant opportunities had been afforded to hear the reasoning of the right honourable gentleman upon the subject.—He was perfectly open at the time to conviction, and so he wished to be still, but he only wanted to know what the system of this country had always been, and whether the measure now proposed was not an improvement upon that plan, and whether the observations of the right honourable gentleman, if they had been made last year, would have induced Parliament to vote 100,000 men on the establishment. He thought not; our measures last year, however, enabled us to set a stronger force on foot than was ever known at the commencement of a war, and we had at this moment a considerable body of the best troops on foot we ever had; for which reasons he thought that government was not liable to reproach for negligence. He should not follow the right honourable gentleman through his observations on the militia. He lamented that the House had not been favoured with the opinion of the right honourable gentleman fully on this occasion formerly, but the question now was, whether the committee would not vote a force which on consideration last session was thought necessary? The right honourable gentleman said, that a regular army invading a country could be opposed only by a regular army: that was true, but it admitted of certain qualifications; it was true with regard to an engagement but not to a protracted war. America was a proof of this; the regular army indeed beat the Americans in every engagement, but at last they harassed, and finally overpowered the regular army. This was also the case of France herself against Prussia; the Prussian army was composed of the best regular troops, and the French who were opposed to them consisted of the national guards or troops of that description; and, he must say, that whatever character the French troops had acquired, and whatever they may now be, they had gone through a great deal of hard fighting, but they did not suffer themselves to despond or to be alarmed on account of their not being regular troops although they were to be opposed by regulars, they exerted themselves by a resolution which enabled them to get the better of their difficulties; and if this country had the same resolution, of which there could be no doubt, because we all felt the propriety of it, we should not only get over our difficulties, but we should teach this our insolent enemy we are not to be insulted with impunity, and if they attempt us, to use their own words, on our own dunghill, woe be to the assailants.

MR. PITT said, that he was happy to understand, from his R. H. friend, that ministers did not think that the present militia was all the additional force which the public service, at this interesting moment requires, and if they did not enter upon the subject at present, it was only because they had measures of

augmentation in view which were not mature; that they had not laid before the committee the means of knowing the plan now for that reason, but that they are satisfied a considerable augmentation must take place; being of that opinion himself, he should hardly have occasion to make more than one remark, which was, that in his view of the subject, on the principle which ministers had adopted, that of more vigorous measures than had been hitherto ever tried, to obtain that force which was of the best sort, that of supplemental force to the army, acting under commissioned and non-commissioned officers in the regular army. It did appear that it would have been fortunate if they had rather begun by establishing in the opinion of Parliament and of the country the necessity of the thing to be done, by preparing the public mind by an adequate vote for that purpose, because by commencing the course and pursuing the means which may be now desirable to animate the public mind to the adoption of what may be thought essential either for the safety of the Island, or what we should couple with it, the vigorous prosecution of the war with France, that of carrying on war with a force which may be at once adapted either for offence or defence, the best effects may be expected, but we are not in a state fit for war with France until we are in a situation to avail ourselves of every opportunity which may occur for offensive as well as defensive operations.—He applauded every desire which ministers could manifest to labour with perseverance to consider of the best means for the safety of the state; "But," said he, "do it effectually! and to do it effectually, you must do it soon. Doing it soon will be better, though you do it with difficulty, than if you do it some time hence, and after much deliberation, easily. I think it is better that the thing should be done at once, or as soon as possible, than that you should delay it—that is, I think it better that it should be voted without delay, and then that you should consider about the means; first vote the measure, and then come forward with the vote for defraying the expence, because by bringing the matter forward immediately you will call the spirit of the people into action. The question now is, will you save your country? Save it in the best and most prudent way, if you can; but save it! But if you are to take any mode for that purpose, in which you may have to encounter prejudices, or in which you may attach to yourselves a temporary odium; but the opinion I have of the people of England, will not allow me to think so, if you do but inform them rightly of your object: however, if any prejudice should arise against you—if any temporary odium should attach to your measure—if it be for the safety of the country, or for its honour, pursue it—pursue it, although you may have to contend with prejudice—pursue it, although you may have to encounter odium—pursue it, even although you may have to subdue resistance! Do it! for the country must be saved! I am ready to take my full share of the inconvenience. If, therefore, Gentlemen concur with me, as indeed I believe the House does, that the present force is insufficient, I wish them now to pledge themselves; to pledge Parliament, to pledge the nation too, that a strong measure shall be taken for the defence of the country without any loss of time. I must say too, that at a period when the statement of the finance of the country is about to be laid before us, it is fit you should bring this measure for our safety forward, together with an estimate of the expence of it; for is is fit the people should see the extent of their burthens; tell them their expences, and tell them at the same time their duty to themselves; shew them that their representatives are determined to act for their welfare, and for their glory. You cannot now go into the detail, but you can have no difficulty about the number of men, nor of the vote to cover the expence of it. My object, by all I have said, is, that the country should now be told at once that it is to prepare for measures of an unusual extent, to make exertions of an unusual nature; that the people should be impressed with a notion that extraordinary preparations must be made, that extraordinary means must be used. Whatever circumstances of difficulty may occur in the detail of the means for carrying the matter into effect, which I believe to be essential to the public service, I am anxious that at least as early a day as possible should be taken for this subject: that ministers, instead of talking of what they will do, should pledge themselves, and that this House should pledge itself that the thing shall be done. Let each person do his duty. Let ministers bring this matter forward, and I am assured that every member in the House will assist in it. Whatever degree of odium may be endeavoured to be cast on us for not chusing perhaps the mildest course that possibly might be found, if we had full leisure to consider it, we should not mind—the thing must be done—must be done immediately."—Mr. Pitt then proceeded to observe, that if he had to state here his objection, it would not be that the militia was too much; he thought that a militia to this extent we could bear, and he was ready to say, that another force calculated for offensive as well as defensive war, was superior, as a force, to a militia. He thought that a large portion of regular troops might be added to 70,000 militia, and must be kept at home or we should not have a sufficient force for home security.—He then proceeded to make several observations on this subject as it regarded the numbers of the militia, &c. and then said, he hoped that the additional force to be raised was not to depend upon a system of tardy and precarious recruiting, and that the forces should not be confined to serve at home as a force necessary merely for home defence, and that at all events that we should secure the advantages of the forces being under officers regularly trained. He wished the House to benefit from recollection, and judge of what we can do from what we have done. We knew that we had raised by ballot, without interfering with the agriculture or the industry of the country, 100,000 men. He knew, from the concurring opinion of almost all militia officers, that we could not hope to have on the militia plan officers for more than 70,000 men. He said he would not go beyond that, without engrafting on the militia officers from the regular force. Some means ought to be applied in aid of the army. If any better mode could be devised than any which had been yet stated, he should be glad of it; he would engage to give it his support. The country must be put in a proper state of military preparation; the best means might, perhaps, not be readily seen. It must have as much time for its consideration as was absolutely necessary to understand it, but no more; for whatever was wanted for the public defence, some how or other must be obtained.

The Chancellor of the Exchequer said, he was very glad that the questions put by his right honorable friend had given government an opportunity of declaring that they did not rely at the present crisis, upon the militia consisting of 70,000

men, great part of whom were at present in arms; that they did not rely upon the regular force of the country, which was at present greater than at any other period, except when an embarkation was about to take place; that they did not rely upon the brave and loyal yeomanry of the country, but that they were prepared to bring forward measures for the purpose of providing a large subsidiary force, to be officered in the manner pointed out by his right honorable friend. The right honorable gentleman (Mr. Windham) had complained of the large proportion of militia force, but that had been completely answered by his right honorable friend, at least that part of the right honorable gentleman's argument which related to a system entirely defensive. In looking to the population of the country, and the means of constituting a large and effective force, it was not merely an option on the part of government, whether such a force should be called out; it was not because the right honorable gentleman or government might think it possible to procure a large proportion of regular troops, but they must consider how, consistently with the feelings and opinions of the country, and the avocations of men of business, the largest and most effective force could be provided for defensive and offensive operations; it appeared to him, that those means ought to be resorted to which were calculated to provide such a force with the greatest public advantage, and the least possible inconvenience. The right honorable gentleman had adverted to the danger arising from an invading enemy; that right honorable gentleman would do him the justice to recollect that he never under-rated that danger, though he thought at the same time that it had been greatly over-rated. He begged leave to refer the right honorable gentleman to the conduct of government in the summer of 1801, and many individuals then in the House, upon whose justice he confidently relied, would attest that there was during that period no want of exertion on the part of government. The country was not generally aware of the extent of the preparations in the French ports at that period, nor of the steps taken by government to meet the threatened danger. At the time when the ships which defended our rivers were sent to the Baltic, then was the period of real danger. Government neither slumbered nor slept, but adopted all those measures which the exigencies of the moment required, with a fixed determination to call forth all the exertions of the country to repel the danger which then threatened us, but which did not happen. He was therefore entitled to refer to their conduct at that period as a pledge of their disposition. It had been stated, that a pledge ought to be given on the part of Parliament, that it would make such provision as circumstances should require. He conceived that Parliament had given that pledge; he conceived that when it carried to the foot of the throne the address in answer to his Majesty's message, though there was no specific pledge as to any particular measure, yet that a distinct and solemn pledge was given on the part of the country, that they would make every exertion which the exigencies of the case might require. That those exertions must be great he not only admitted, but contended; but he flattered himself that whenever he should appeal to the House either to meet financial difficulties, or to provide for increased military exertions, that such an appeal would not be made in vain. If any obloquy was attached to any such measures, he would cheerfully share it; but he trusted, that on the part of the people there would be on such an occasion but one sentiment and one opinion.

HOUSE OF COMMONS.

Monday, June 13.—[*Min. p.* 906.]

[THE BUDGET.]—THE CHANCELLOR OF THE EXCHEQUER brought forward the Budget, for which see page 906 of this volume.

HOUSE OF COMMONS.

Tuesday, June 14.—[*Min. p.* 971.]

[REPORT OF THE BUDGET.]—LORD FOLKESTONE.—I do not rise, Sir, for the purpose of objecting to the bringing up of the report, nor to the taxes proposed, but to avail myself of this regular and parliamentary opportunity, of entering into some consideration of the conduct of his Majesty's ministers. Of the taxes in detail, I can say nothing, at present; because, if they be liable to objections, frequent opportunities will occur, hereafter, of stating them; but, on the general system of taxation now adopted, that of raising money for the support of the expenses of the war in each current year, by what are called war-taxes, I must say a word or two. To that system, I, for one, must object, as tending to make the war unpopular.

The war in which we are engaged, is confessed, on all hands, to be one of necessity, and for the very existence of the country. Every thing, therefore, that tends towards bringing it into disrepute should be carefully avoided. Such a system may be good in theory; there may be something noble and magnanimous in the idea of a people submitting to bear the whole burden of their own wars, and not to entail on posterity any inconveniences arising from their quarrels. But the policy of putting such a theory in practice depends upon circumstances, and the circumstances of the present times are clearly such as to render it impolitic. If the people were so eager for war, as to be ready at any, the slightest affront, to rush headlong into it; then such a system would be both just and politic; then it would be certainly proper to make them bear the whole burden of a contest brought on, perhaps, by their own precipitancy, and to endeavour to check that disposition, by making them feel the whole inconvenience of it. But if, on the other hand, the temper of the people be such, as in point of fact, we know to be the case with the people of this country at present; that they are rather too backward than too eager to begin the contest, that they are rather inclined to submit to insults, than to undergo the hardships and expenses of war to repel them, then it is, certainly, most impolitic to add, to that backwardness and reluctance for war, all the selfish feelings of dislike to make just sacrifices, and to undergo heavy burdens, which every one knows will be called forth by the present enormous taxes. On this ground, I, for one, think the system of war-taxes objectionable. Such a war as the present should be rendered as palatable and as popular as possible, inasmuch as the safety and very existence of the country, depend on the firmness, the vigour, and perseverance with which it is carried on. With respect to the mode in which ministers seem inclined to carry on that war, as far as I can judge of it, I must disapprove of it. I must disapprove of that defensive system which seems to be the one adopted. I know that I may be stopped here, *in limine*, and told that that is not the system intended to be pursued. But I must be permitted to rest in my opinion on that subject, as long as I see more symptoms of activity and preparation than I, a pre-

sent, witness. If a different sort of conduct were adopted, we should undoubtedly hear of plans of offence, we should see greater stir and more active preparation than are at present discernible. Nothing of this kind is any where to be met with; and, indeed, the universal idea amongst the public seems to be, that defence, and defence alone, is to be our object: that we are to stand on our own shore prepared to resist any attack made on us; but that any attack, on our parts, is wholly out of the question. This, certainly, may not be the plan of his Majesty's ministers; but this is certain, that all their measures lead one to suspect that it is, and they never have given this House a single reason to imagine that they have any other. But against this plan, whether it be theirs or not (I hope it is not), I must object *in toto*, and for this very plain and simple reason, that of all the plans that can be pursued, this, more surely than any other, will bring on the country, speedy and inevitable destruction; and the more complete the plan, the more likely to be adequate to the proposed effect, the more speedy and the more certain will be the ruin. In that case, the country will perish by the weight of its own defence. It will then be exactly in the case with a man, who, when attacked by an active enemy, should say, I do not want to hurt my enemy, I only wish to defend myself; so I will wrap myself up in a good suit of armour, in a coat of mail, that I know to be impenetrable, and then I may be perfectly at ease, because I know he cannot hurt me. But what would be the event? not only if any of the nails were to give way, or if there were to be a little rust, or any weak part, or the joints were to open, would the enemy be enabled immediately to thrust in his poniard, and give a mortal stab; but, without any such accident, would it not be certain that this man must soon fall down faint and oppressed, by the weight of his own arms? In like manner, if this defensive system, which is so popular, is to be adopted, will the country in a short time most inevitably faint, and fall down under the weight of its own armour; and the stronger the armour, the greater the means of defence, the more speedily will the necessary faintness and ruin come on.—Gentlemen seem to confound the idea of a defensive war, or a war of self-defence, with the defensive mode of carrying on war. They are things perfectly distinct. In strictness, a war of self-defence against present or future dangers, is the only justifiable war. But a defensive war may as well be carried on by offensive operations as by defensive, by weakening or destroying your adversary, as by repelling his attacks on you. Does a besieged garrison content itself with repelling the assaults of the besiegers? Do they not make sallies, and, in their turn, attack the assailants? Does not every schoolboy know, that Rome was defended under the walls of Carthage? Precaution for defence, in case of attack, must certainly be made, but our views must not be directed to defence alone. We must have recourse to more vigorous, to offensive measures.—Let us then consider a little what are the measures of offence that can be adopted in the present circumstances, and what means this country has for offensive operations. Now, generally speaking, the means of attacking France are threefold—1. By external attacks made by ourselves.—2. By external attacks made by the continental powers; and, 3, by internal attacks on the government of the country. With respect to the first of these methods of offensive operations, this country is pretty nearly impotent. We might attack and seize a sea-port, or destroy a fortress; but, after all, if the greatest expedition of this sort that we could send out were to meet with complete success, we should not have advanced one step towards gaining security for ourselves, or impairing the power of the enemy. Such a success would produce no greater effect than the scratch of a pin on a man's hand. From this mode of offence, therefore, no hope can be derived. What then remains? There remains, either, to animate the continental powers to join and make common cause with us in the contest, and so to attack France externally, or to attempt to destroy the government itself, and for this purpose, to raise up the royalists that remain in that country to join with us in the attempt. Now, whatever hopes might, under these circumstances, be derived from these modes of operation, must be greatly weakened so long as his Majesty's present ministers direct the affairs of state. For it is not to be conceived that any set of men, who can be selected, will be so unlikely to inspire confidence as the persons now in office. What confidence can any foreign power have in men, who have universally, whenever it suited them, abandoned and deserted the allies of the country? In men who lay it down as the very basis and foundation of all their negotiations with France, and who now send forth to the world, under their own signatures, that their principle is, that they shall retain compensation out of the conquests which this country may make for the increased power and territories of France? Now, to a man of plain understanding, this principle is no other than this—France may enrich herself by robbery, pillage, and rapine; we will not grumble or find fault if she will but allow us to have some share in the booty, so that we may in some degree keep pace with her. Will any man be astonished, in case the noble secretary of state were to direct any of his Majesty's ministers, at the foreign courts of Europe, to sound the dispositions of the government, and to find out whether they were willing to join with us in the present contest; in such a case, would any man be astonished or would the noble lord himself be astonished, if he were to receive for answer—"We cannot trust you, we can-"not place any confidence in you. How can we be "sure that you will not abandon us, as you aban-"doned the King of Sardinia? How can we be sure "that you will not desert us, as you have deserted "in his time of need the Prince of Orange? How "do we know that you will not sell us, as you have "sold the Queen of Portugal for a colony or a sugar-"island?" A man might rather wonder if his Majesty's ministers were to receive any other answer than this. In like manner, too, it is impossible that any royalist in France could feel greater reliance on the faith of ministers. Once betrayed by them, once abandoned by them to the cruelties of their relentless enemies, after they had been exhorted to come forward by our declarations, by our promises of succour and assistance, by our assurances of support, without, as far as we know, a single word being spoken in their behalf, but certainly without any stipulation at all in their favour; thus betrayed and abandoned, will they, can they be expected to put that confidence in such men, as to be roused by them again to brave all the dangers, to undergo all the hardships and toils, to expose themselves to all the vengeance and cruelties from which they have now once escaped? Will they be willing to run the risk of all those calamities again, without some better security that they will not be again deserted? Or, have the published sentiments of the noble secretary of state any thing in them that is likely to

wipe off this crime in their eyes, and to teach them to put their trust in him? Will any man of loyalty, can any royalist in principle ever entertain that feeling for a man, who, as minister for this country, negotiating with a foreign power, has not hesitated to state, that, in his opinion, the French royalist emigrants would do well to lay aside the orders which they wear, those rewards of ancient deeds of valour, which they have received from the hands of their sovereign, and which they wear as emblems of their fidelity and attachment to him? Can the royalists confide in a man, who, without a blush, can give this to the world as his deliberate opinion? Surely not. May that noble lord never have the means of putting his opinions in practice! May it ever be out of his power to throw that disgrace on his sovereign, which, in his deliberate judgment, it would be proper for him, in certain circumstances, to do!—For these reasons, his Majesty's present ministers are the most unfit men in the world to apply, with effect, the means of offence which this country may have, against France. But as they are still his Majesty's ministers, as they still have his confidence, and the support of this House, it is their duty to employ those means as well as they can. Now what is the best method to exert these means? Confidence is to be gained: that is the first and principal point. The continental powers, on the one hand, the loyal part of France, on the other, are to be convinced that we will not again fail and desert them. And how can they be convinced of this, but by an open, explicit, unreserved declaration, on our part, of our views and objects? And what ought this object to be? The object most likely to gain that confidence is the destruction of the revolutionary government of France. And, Sir, this object is exactly conformable to the doctrines and opinions lately held by the two noble lords on the Treasury Bench. For if it is allowed to refer, for one moment, to what passed in former debates, the House will recollect that the first argument, used the other night by those noble lords, in defence of the necessity of the present war, was, that there existed, in the revolutionary government of France, such an hostile mind against this country, that it was quite impossible (and every one, it was concluded, must be convinced that it was impossible) to be at peace with the revolutionary government of France. If this is so, and my mind was fully, and long enough ago, convinced that it was so, what then is the necessary inference? What but this? Either that you must give up all hopes of ever having peace, or you must destroy the revolutionary government of France. A third alternative there is not.—Now it would be as unnecessary as insulting to the House to ask; if you would destroy the government of France, what other government would you raise in its room? None other, surely, but the monarchy in the person of the legitimate claimant of the crown. This, then, is the object to which I have been endeavouring to draw the attention of the House. This is the object to be declared and held forth to the people of France, on the one hand, and all Europe on the other. It must be declared explicitly, plainly, and decidedly. If it is not declared in that way, nothing is done; but if it is, the greatest hopes may yet be entertained of final success in our present undertaking.—I will not detain the House by entering into all the reasons which induce me, if this plan be openly and manfully pursued, to entertain the most sanguine hopes of success. I will only now state what will be the immediate effect of such a declaration and conduct. At home, I think, it will excite a new spirit, and give a new energy to our measures. Abroad, it will give confidence in our plans, and convince other nations of the rectitude of our views. In France, it will give new hopes and courage to all the loyal now remaining. It will, at once, bring them all into our interests. But the most important effect will be that which I think it will have on the government. It will palsy all its exertions and unhinge all its plans: so much so, that I do not hesitate to say, that if I were asked how I would prevent an invasion of Buonaparté, I would say, make this declaration. If I were asked how I would defend Hanover, I would answer, declare for the King of France. If I were asked how I would rescue Holland from the gripe of France; how I would secure Portugal from her attacks, or relieve Spain from her fraternity, I would to all these questions answer, make this declaration.—I find that the House is impatient: I am sorry, and beg pardon for having detained them so long; but this idea has pressed so strongly on my mind for some time past, that I could no longer reconcile it to myself to let slip an opportunity of stating it. If Gentlemen's minds and attention are directed to it, my object is in a great degree answered, as I am convinced that the more they think of it, the more they will incline to my opinion.

HOUSE OF COMMONS.

Thursday, June 16. (Min. p. 972).

[DOCK-YARDS.]——Mr. WHITBREAD said, that in bringing this business forward he had no desire to anticipate any judgment which might be formed on the reports of the commissioners appointed to inquire into abuses in the navy. A right hon. Gent. opposite (the Chancellor of the Exchequer) had pledged himself to found a proposition on these reports, which he had no inclination even to embarrass. He had different grounds for pressing his motion on the consideration of the House. Gent. were not unaware that the noble lord who, with so much honour to himself and so important advantage to the country, had fought our battles abroad, and who with not less honour had instituted inquires into abuses in the department over which he presided, had been exposed to a great deal of calumny and abuse. In nothing more than with respect to his conduct in examining into and providing remedies for the abuses in the dock-yards, had he been exposed to very gross censure. To do away any impression which these calumnies might have produced, he thought there was no better way of proceeding than by laying before the House a copy of the minutes taken by the noble lord, and the other noble lords, in the course of their visit of inquiry last year, and to which the commissioners in their first report alluded. In that report it was stated, that the conduct of the Admiralty Board was not only free from censure, but highly commendable. It was also stated, that cases of very flagrant delinquency

existed. It was therefore fair and just that the delinquents, should as speedily as possible be brought to justice, and he should with this view move for the production of the minutes, as at once clearing the conduct of the Board of Admiralty from injurious imputations thrown on their conduct, and bringing those delinquents, whose villainies they had exposed, to a speedier punishment. He concluded with moving for a copy of the minutes relative to the abuses in the dock-yards, in terms of his speech.

The CHANCELLOR of the EXCHEQUER said, that no one could feel a higher interest than he did in any thing connected with the character of the noble lord at the head of the Admiralty. No one had a more thorough conviction that the character of the noble lord stood far above all malignant calumny. He was, however, at the same time, less anxious that the motion of the hon. Gent. should be persisted in, as he was convinced that the talent, the soundness, and the solidity of the noble lord's conduct did not at all stand in need of any such support as the motion was calculated to afford. In this view, therefore, he thought the motion totally unnecessary; but in another point of view, he conceived that it still less rested on parliamentary grounds. The House had invested commissioners with full powers to inquire into abuses existing in the navy, and there was no reason to think that they had not employed their powers with assiduity and zeal. If it was meant to be stated, that the commissioners had been deficient in their duty, then there might have been fair ground of interference, and a motion of the nature now offered to the House might have been highly expedient. As, however, no suggestion of this kind had been made, he must contend that the motion of the hon. Gent. was at least premature, and could tend only to anticipate a judgment, which could be given with much more advantage when the whole facts of the case were fairly and fully submitted to the House.

Capt. MARKHAM said, he felt himself very unpleasantly situated between the anxiety he felt to maintain his own character and those with whom he had the honour of acting, and his respect for the opinion delivered by the Chancellor of the Exchequer. The Board of Admiralty had been goaded and calumniated in the public prints of the country, which had said the most degrading things of the Board, and had compared their visitation to a domiciliary visit. Under such circumstances it was impossible for the Board of Admiralty to carry on their duty if they were thus to be abused for the proper discharge of it. It was on this account that he expressed not only his own wish, but that of the noble lord alluded to, and the other members of that Board, that these papers should be produced.

Sir WM. ELFORD said, he thought the present motion did not go far enough; they should not only have the minutes of the proceedings of the Admiralty Board during the visitation, but they should have an account of the measures afterwards adopted by that Board in consequence of it. There was no panegyric which could be paid to the military conduct of that noble lord at the head of the Admiralty, and the other members of that Board to which he would not subscribe, but he could not pay the same compliment to their civil conduct, because he thought it had been attended with consequences injurious to the public; it had produced a great disgust, and if persisted in, would produce the most serious consequences to the country.

Sir A. HAMMOND said, that the Navy Board, to which he had the honour to belong, had never spared their labour; they constantly attended the duties of their office for seven hours a day; they had done their best for the service of their country. They had enjoyed the approbation of the two preceding Boards of Admiralty, but since the present Board was appointed, there had been such strong prejudices, that it was with the utmost difficulty that they could go on. He hoped that when the reports of those who had been appointed to inquire into the abuses, came to be taken into consideration, that the Boards might have an opportunity of being heard in their justification. No judgment could be formed upon the conduct of those Boards, or upon the report itself, before the parties were heard, and they were perfectly ready to enter into their justification.

Mr. COURTENAY said, it was well known that there had been strong and unfounded reflections thrown out upon the conduct of the Admiralty, and on the visitation which had taken place. The object of the motion was to shew the grounds upon which the Board of Admiralty had proceeded. One of the members of the Board of Admiralty had expressed his wish that these papers should be produced—it was also the wish of the first lord of the Admiralty. Of the high character of that noble lord, *clarum et venerabile nomen*, it was unnecessary to say any thing, but it was some satisfaction to know that there was one of the members of the administration who was respected abroad.

Admiral BERKELEY said, that at a moment like the present, when every one ought to stand forward in defence of the country, to see a squabble between the two Boards was really a scandal to the country. This was not the time for inquiry; it called for exertions. He thought consequences would ensue from what had happened, that would palsy the operation both of the Admiralty and the Navy Board.

The ATTORNEY GENERAL asked, if it would not be a most anomalous proceeding on the part of Parliament in the first instance to appoint commissioners to make inquiries, and then to call upon them for their minutes at the very time that their proceedings were going on, and while their inquiries were unfinished? It had been stated that the Admiralty Board felt concerned at some slanderous reports which had gone abroad, and to which some little countenance had been given in that House, and that they wished that all the documents relative to their conduct should be laid before the House. This certainly was very honourable to their feelings as individuals, but he begged leave to submit to them, whether their private consideration should not, for the present, be suspended. If the House wished to take the inquiry upon itself, it ought to have done it in the first instance, and not now, when

the commission was appointed, and when the inquiry was going on. It had also been stated that there were delinquents whose cases ought to be brought before Parliament, in order that they might be prosecuted. But there was no reason why the minutes should be laid before the House for that purpose, because the Attorney General might be ordered to prosecute them. And it was but justice to the parties, if they were to be prosecuted, that it should be done in the usual way, and not by order of that House, which would certainly raise unfavourable prejudices against them. He trusted, therefore, that the House would consider this an unreasonable application, to take that inquiry out of the hands of the commissioners, against whom no charge had been made.

Col. BASTARD could not agree with those who thought that the situation of the country being dangerous, was a reason for not going into the inquiry; on the contrary he thought that the more dangerous that situation was, the more was the necessity for such an inquiry. Some had said that the public service had been impeded by the difference which had existed between the Navy and the Admiralty Board, and others had said that the service could not go on while these differences subsisted: this was a conclusive reason for the House coming to some decision upon the subject, otherwise the public service would be still further impeded.

Capt. HARVEY said, as to the character of the noble lord at the head of the Admiralty, some persons had said some things against him, and others had vindicated him, but if the subject should ever come under discussion, he should say freely what he thought upon it, at the same time, he assured the House that he should not fall in with those who had praised. As to any criminality in any parties to which the report referred, if there existed any such criminality, the Attorney General was the proper officer to prosecute on such an occasion. He thought the period might come when the circumstances stated in the report may come before the House, and then the House would do rightly in demanding all documents necessary to facilitate the discussion; but there was no such ground at present.

Sir FRANCIS BARING said, there was no man upon earth that had more respect than he had for L.d. St. Vincent, but he was extremely concerned that the subject of the visitation of the dock-yards had been brought forward on this occasion. In the case now before the House, evidence was taken in a particular manner, and either directly or indirectly reflecting on certain persons who had no power to put one question on the other side. The motion tended to hold forth to the world that a number of frauds had been committed on the public, and might make a very great impression, when in truth the judgment of the public ought to be suspended until both sides had been heard.

Mr. SHERIDAN could not agree that the noble lord at the head of the Admiralty was not to be amenable to the House of Commons, because he was a member of the other House of Parliament. As he was first lord of the Admiralty, no question could be constitutionally entertained but that his conduct in such character might be discussed in that House. It was not for those who approved of, but for those who were dissatisfied with the conduct of the noble lord, to call for an inquiry into such conduct? and sure he was, that whenever that investigation took place, it would redound highly to the honour of that noble lord. He was aware that the House would pay no attention whatever to any libels which might have been published in any quarter upon this subject. But as the House had been told that the force of the Navy Board was impeded by the proceedings of the Admiralty Board, he thought that no time should be lost in adjusting the difference between the two Boards at this momentous crisis. An investigation should therefore take place without delay, so that those who deserve honour shall receive honour, and those who deserve punishment shall suffer punishment.

HOUSE OF LORDS.

Monday, June 20. (*Min. p.* 973.)

[KING'S MESSAGE ON THE ARMY OF RESERVE.] ——LORD HOBART moved the order of the day, for taking into consideration the best means of carrying into immediate execution, the desire expressed in his Majesty's message for the more effectual defence and security of the United Kingdom. He should not take up the time of their Lordships, in demonstrating to the House the *minutiæ* of any particular plan. He was well convinced that, whatever difference of opinion might exist in the minds of Noble Lords, as to the manner of executing the wishes expressed in his Majesty's message, there could be no difference of sentiment as to their expediency at the present crisis, when our country was avowedly threatened by a most implacable enemy. He thought it, however, respectful to their Lordships, and consistent with the duty of his situation, to state the outline of the plan which it was his intention at a future period to submit to their consideration, in order that they might be the better prepared for the discussion when it came regularly before them. In the first place, he must observe, that he thought it not only necessary that we should provide means for the defence of the Empire in case of any hostile attack, but also that we should be prepared in such a manner as to evince to the enemy the utter impossibility of obtaining any success in an attack upon our coasts. Every possible exertion had been made in the military department; but that was not sufficient for the present exigency: it was therefore necessary that a more extraordinary measure should be resorted to. He should be extremely sorry to introduce any plan of a compulsory nature, without the necessity of the state called for it in the strongest manner; and he was aware that it might be objected that such a measure would necessarily draw a large number of the community from their industry and the agriculture of the country. But when he looked at the danger to which the country was exposed, when he looked at the increased population and resources of the country, he saw, with the utmost confidence, that there was nothing to fear. In the last war we had a militia force of 114,300 men in England, Ireland,

and Scotland. At present we had 72,900. He only meant to propose an addition of 40,000 for England, and 10,000 for Ireland, to be raised from the age of 18 to 45; and this additional force he designed to appropriate to the defence of Great Britain, Ireland, and the islands of Jersey and Guernsey. It was the intention of miniſters that they should be officered by gentlemen possessing property in land, or holding his Majeſty's commission. To this force we might look up with confidence; and by that means we might have a large disposable force in case of any emergency, well trained and ready for any service within the Empire. He concluded with moving an address to his Majesty, expressive of the disposition of that House to concert such measures as would be deemed moſt effectual for the immediate defence and security of the Empire.

The Duke of CLARENCE thought that the outline of the plan was infinitely less objectionable than that which had been generally supposed by the public to be in agitation. He contended that Malta was not the cause of war; the cause was to be found in the general syſtem of aggression and insult which had been adopted and practised by the French government from the time of concluding the Definitive Treaty of peace to the present moment. It therefore behoved every loyal man; it behoved every Englishman, but more particularly it behoved the hereditary nobility of the United Kingdom to unite their utmoſt efforts to oppose such haughty ſtrides of ambition and despotism as had been taken by the present rulers of France. He recapitulated the outline of the plan which had been ſtated by the noble Secretary of State; and entered into a hiſtory of the different invasions which had been designed againſt this country from the time of Queen Elizabeth to the present period, and shewed, that whether it was an invincible armada or a flotilla of gun-boats, their attempts were equally fruitless when opposed by the unanimity and manly spirit which had always diſtinguished the character of Britons. He next entered into a hiſtory of our militia, and the various changes which had taken place in the militia syſtem, beſtowing a high eulogium on the character of our militia officers, and on the nature of the inſtitution: the militia officers had at every period of our hiſtory evinced a spirit honourable to the country and highly becoming the character of soldiers. He was particularly attached to the militia, as the conſtitutional defence of the kingdom, and thought that the country would not be safe without them. He therefore thought it incumbent on him to caution their Lordships againſt any innovations which might be made in that patriotic body; not that he meant to say that it was the intention of the present servants of the Crown to make any encroachment on that valuable inſtitution: he only meant to say, that as since the reformation we did not think even the Pope at Rome infallible, it appeared to him necessary that their Lordships should be on their guard, leaſt any measure submitted to their consideration should have a tendency to trench upon the original conſtruction of their syſtem. The miniſter that would break his faith with an English soldier, or the miniſter that would break his faith with an English sailor, he thought could not be deemed a friend to his Sovereign or worthy the service of his country. He had the utmoſt confidence in the zeal, the loyalty, and the bravery of the country; and he had no doubt of the result, if any attempt should be made upon our coaſt by the Corsican Harlequin of Mischief. If he had been a miniſter to his Majeſty he would have advised a plan of offensive, not defensive war; he would have advised the raising of such a force as might be disposable at Eaſt, Weſt, North, or South, as occasion might require; he would advise such a force to be raised as might, consiſtent with the tenor of their inrolment, be sent to any place in Europe, Africa, or Asia, where their services might be required.

LORD GROSVENOR expressed a similar dependence on the spirit and loyalty of the country, in case any mad attempt of invasion should be made by Buonaparté and his Legislative Body. He rejoiced that the present plan had been entertained by Miniſters, thinking it better than the extension of the volunteer syſtem, though he at the same time bore teſtimony to the zeal, alacrity, and public spirit of the volunteers who so honourably ſtood forward in the defence of their country laſt war.

EARL CAERNARVON observed, that notwithſtanding the deference he paid to the opinion of the illuſtrious Prince, he muſt declare that it was his opinion that we were fighting for Malta—that we were fighting for a lease of Malta for ten years, with the return of the island of Lampedosa. If the French had given up that point, we would not now be at war. But in fact, the ceſsation of arms we had since the treaty of peace, he could not call a peace. He then objected to the mode proposed for raising men by ballot, and observed that it was only transferring the burden from the public purse to that of the individual on whom the lot might fall, without reference to the wealth or property of the person. It would be a moſt flagrant act of injuſtice to compel an individual to pay £20 which should be paid out of the purse of the nation. In some inſtances the utmoſt profusion of the public money was submitted to, and yet a disposition now appeared to throw the burthen on an individual who might not in many cases be able to bear it. If such was the inclination of his Majeſty's miniſters; if they wished to raise a land-tax and call it a tax upon income; if they wished to bankrupt the funds and call it an income tax; if they wished to levy an army and call it a militia; we should have more to fear from the conduct of adminiſtration than from the threats of the enemy.

LORD SUFFOLK said, that as a military man, he thought it right that he should inquire if any military plan of the country had been formed. The firſt object of a Roman governor always was, to have a military plan designed of the roads, the bridges, and different situations of the country which he had to defend. As a military man, he wished also to submit to their Lordships the propriety of having a number of carriages conſtructed and ſtationed at such convenient diſtances, that 20,000 men might be conveyed with the utmoſt possible expedition to any given point. He wished also to hint, the necessity of making Deputy Lieutenants, serving under Lord Lieutenants of counties, more efficient and responsible than they at present are. The Army of Reserve was a mea-

sure of the utmoſt importance, and deserving of the moſt serious attention of their Lordships; and, for the great extent of the defence necessary to our insular situation, it was necessary that we should have men of the moſt diſtinguished military talents, and of the moſt elevated rank, to whom the country might look up with the moſt perfect confidence, engaged in the active service of their country. He then alluded to Lord Grey, Lord Rawdon, and Lord Hutchinson, as eminently worthy of the peculiar attention of government at the present crisis. On mentioning the name of the latter nobleman, his Lordship delivered a moſt animated eulogium on the gallant conduct of that general in Egypt. By the conduct of miniſters in not employing such a diſtinguished officer, or employing him in a subordinate situation, they were plucking the laurels from his brows. He took a retrospect of the conduct of the late war, and said, that though the present measure was something more vigorous than any which had been adopted during the late war, he did not think it went so far as the ſtate required.

EARL MOIRA —In answer to the flattering compliments which the partiality of a noble friend of mine (Lord Suffolk) has induced him to bestow upon me, I have only to say, my Lords, that I am perfectly satisfied with whatever deſtination my Sovereign has been graciously pleased to allot to me, and that were his Majeſty to call upon me to serve in the ranks as a private, I should in that subordinate ſtation unsheath my sword with the same cheerful alacrity and ardent zeal as if I were called to the chief command of the moſt numerous and gallant army. While, however, I feel eager to express these sentiments, and to second with my beſt endeavours whatever plan may be proposed for a vigorous and effectual defence of the country, I cannot forbear saying, that I do not imagine that there is any thing irregular in what has been observed by my noble friend. The object of the message, now under consideration is, the moſt effectual mode to be adopted to prepare the defence and eſtablish the security of the country. In order, therefore, to chalk out that line of defence which it may be moſt expedient to pursue, it is necessary to enter into the particulars of the plan proposed. Without taking these particulars into consideration, it muſt be impossible to return any thing like a satisfactory answer in the proposed address to his Majeſty. It is by no means my intention to make any objection to it, for I perfectly agree with my learned and noble friend on the woolsack, that it is impossible for the House not to concur in it. Neither am I inclined to object to the measure which miniſters intend to propose, for I conceive it to be the duty of every individual, at a crisis like the present, to exert every effort to smooth the difficulties that may ſtand in the way of the executive power, and to furnish them with every possible assiſtance in giving a prudent and energetic direction to the resources of the country. In that view, I am thoroughly convinced that the hands of miniſters should be left unshackled, and their power wholly uncontrouled; for more danger might be apprehended from harassing them in the plan they laid down, than benefit could be derived from projecting a better plan, which could only protract the execution of the former. There is not a moment to be loſt, and what I moſt anxiously apprehend is, that the noble Secretary is not sufficiently aware of the expedition and dispatch which should be used in giving effect to his Majeſty's moſt gracious message. I should be sorry to ſtoop to any thing so mean as the misrepresentation of what was advanced by the noble Secretary, in order to ground an argument upon that misrepresentation; but he seemed to have said, that he looked forward to future parliamentary discussion with a view to improve and mature the plan, of which at present he had only sketched the outline. To such procraſtination, under such circumſtances, I cannot bring myself to assent. There is not an hour, not a moment to be loſt. While your Lordships are debating, the enemy is acting; while we are devising plans of defence, they are executing means of attack; while we are idly preluding in a war of words, they will come on us in a war of action; they will surprize us unprepared, and overpower us slumbering at our fire-sides.

Occupat incautum, patriasque obtruncat adaras.

On the activity of miniſters it is not in my power to beſtow any high-ſtrained panegyric. On the 8th of March they brought down a message from his Majeſty, intimating the hoſtile projects of France, and they have since laid upon your table papers which amply unfold the repeated insults and injuries which have been offered to this country by that power. If their feelings were such at such provocations, as no doubt those of your Lordships and the country muſt be, muſt they not have foreseen that war was inevitable? muſt they not have conjectured that event, from the very consequences of the message which they then delivered, and from the character, with which they do not profess themselves to be unacquainted, of the person who now holds the helm of French affairs? All this they muſt have been thoroughly acquainted with in the month of March, yet it is late in the month of June before they come forward to propose measures of security; and even when they are thus late in proposing them, they would ſtill advise protracting their execution, in the hopes of their being improved by Parliamentary discussion. This surely is not the way of meeting such an enemy as that with whom we have to contend.——Under that impression it cannot be my wish to enter into any detailed examination of the measure now brought forward: my anxious wish is, that every possible means of defence may be immediately resorted to; and I cannot but partake in the apprehensions of the illuſtrious Duke who has so ably discussed the queſtion, that the measure in agitation will not prove adequate to the emergency in which the country is now placed. It should open a wider view, a broader scene of action; it should look to other points than those of mere internal defence. Dreadful, indeed, is the scourge of an hoſtile force invading our native soil, but next to it is the march of an hoſtile army in the bosom of a friendly country. The enemy who thus threatens or ravages what we are moſt intereſted in, we should endeavour to embarrass and annoy at every possible point; we should more especially endeavour to assail him where every feeling groans under his tyranny, and pants to be rescued from such servile subjugation. Since I laſt had the honour to address you on this topic, events have occurred closely connected with the object of his Majeſty's Mes-

sage, and which must still come more nearly home to your feelings. Since that period his Majesty's patrimonial possessions have been wrested from his paternal care; and even should England be looked upon as disconnected with Hanover, still should its loss be deeply lamented. How much more should it affect us when all its relations are duly considered, more especially when we behold the noble example of disinterestedness thus set to us by his Majesty. If we are to look unconcerned on the fate of Hanover, in what light will other countries be disposed to consider us? Can Europe any longer look with confidence to the broad shield of British protection? This was a point on which we are most essentially concerned; it is one on which you cannot bestow too much attention. Do but consult the map, and you must quickly perceive in what situation we are placed. With the possession of the coasts of Holland and of Hanover, how can we now possibly come upon the back of the enemy? It must therefore be no light charge against ministers that they have lost such a point; that they have deprived themselves of such a guard, and disarmed themselves of means so material to the termination of the war.——As to the cause of the war, I must agree with the illustrious Duke who could not permit himself to believe that it was the possession of Malta. It has indeed astonished me not a little that ministers should have held it forth in that shape. In their general conviction the real cause of the war was the impossibility of continuing to submit to the injuries and insults of the French government. Tamely to persevere in such a state of peace would be nothing short of inevitable ruin. We may have attempted incautiously to slumber under its shade: but it has proved to be the shade of a poisonous tree, the droppings from which have blistered us into sense. But now that we seemed to awake to our situation, what was proposed? A defensive, a merely defensive war! From such a war could any success be rationally expected? What could be the effect of such a war but to wrap up the spirit and energies of the country in the night gown and slippers of routine? Were we not threatened with a danger of a nature and magnitude that never before hung over this nation? How was it to be warded off? By vigilance, by promptitude, by decision. Yes; rise, rise, my country! rise, or you must perish!—You have no doubt, my Lords, the feelings of Britons; but you must inspire them into others. British blood continues to flow in our veins, but its influence must vibrate through the heart of the nation. No measure can be too vigorous to repel the giant mischief that assails us. No personal feelings can be now indulged. The common danger calls for common exertion. By that alone can we repel it: and can we indeed continue to shrink and shudder under the shade of a colossus that deprives us of the sight of Heaven, and of the cheering influence of the sun? In vain would we look to Austria, to Russia: no; our security must be in our own spirit, our safety in our own strength. Did we not become timely aware of our danger, we might again have become the dupes of a miserable accommodation. But Providence seems to have at length opened the eyes of ministers, and snatched us from the gulf of irretrievable ruin to which the acceptance of the enemy's terms would have hurled us. What have we now to look to but to measure the strength of that enemy, and to prepare adequate powers to resist him. Resist him! No; we must crush him, or we perish. For that purpose there is no sacrifice or privation for which we must not be prepared; our purses and persons must be at the disposal of the country. Let us but hope that the hands that are to wield our strength, may know how to guide its energies, and where to point its exertions. To the plan proposed I shall offer no objections; convinced that objectionable as it may be, it is wiser and more expedient to put it into immediate execution, than to lose time in devising a better, the operation of which must be deferred. In prosecuting the measure now proposed, experience may suggest amendments; but no time is to be lost.

LORD MULGRAVE expressed his unqualified approbation of this measure, because forty thousand men thus raised will enable an equal number of the troops of the line to act offensively; they will be an annoyance to the enemy whenever it shall please the Government in furtherance of its designs to employ them in active and offensive service; but without such a plan, the regular force would be confined to our shores, and be in a great measure useless. And why should they be restricted at such a time, or why should their proud spirit be repressed? He well knew the feelings and sentiments of an English soldier, they were these: "Tell me what I am to do.—Define my duty. I regard not the difficulties that are to be encountered—let me but know what I am to do, and my life shall be sacrificed, or the object shall be accomplished." But, if he thinks you trifle with him, or mean to impose on him, in vain will you hope for cordial or efficient exertion. He reprobated the delicacy that may be felt with regard to persons who may be balloted to serve in the cause of their country, and consequently in their own. It would be asked, will you force these persons to serve if they cannot provide substitutes? Yes. When the country is in danger it is incumbent on all descriptions to come forward

"Dulce et decorum est pro patria mori."

He was only sorry that so much time had been lost, he should wish to see the people now under arms, and he could congratulate the country on having a valuable acquisition in those officers who belonged to battalions that had been disbanded; on their merit, knowledge of discipline, and service he placed great reliance, but very little indeed could he depend on those officers who came from the East-Indies, after having amassed fortunes, or with a view to recruit their impaired constitutions for the term of three years. But will it be said that this measure is strong? So it ought to be. The bounds of what heretofore would be termed prudence must now be overleaped. This is an uncommon time; the exigency is imperious indeed. With the change of times we must alter our measures.

"Tempora mutantur, et nos mutamur in illis."

Away then with this idle cant and objection to regular armies. No danger is to be apprehended from an army of Englishmen now-a-days; but without it we should have every thing to dread from France. This is our shield when we are to defend ourselves, and our sword when we are to draw and assert our independence and protect our rights.

LORD LIMERICK differed from the Noble Earl (Moira) in some things, and from the illuſtrious Duke who ſpoke third in the debate. What, though troops are ſent, or even if it will be ſo, forced to the Eaſt or Weſt-Indies, or elſewhere, they have before them thoſe rewards which never fail to animate the truly generous breaſt. They have honour, laurels, and the approbation of their country:—they are enrolled for the ſervice like freemen, and not like the ſlaves of a neighbouring country, who are compelled to quit their homes, their wives, their children, their fathers and mothers, in obedience to an arbitrary and tyrannical mandate. He was aſtoniſhed to hear a Noble Earl (Carnarvon) declare that he would reſiſt the ſyſtem, (theſe were the words, for he had taken them down); he ſtated, that every thing was wrong, that improper ſelection of officers were made, that taxes were too oppreſſive, that property was actually invaded; but he hoped, that his feelings had hurried him too far, and that his principles did not correſpond with his expreſſions, particularly when in a prophetic ſtrain, he heard him declare, that this ſyſtem would not be tolerated. Such opinions and wiſhes could only lead to the defeat of all our plans for ſecuring our independence and rights, and furniſh to the inveterate foe the ſureſt means of ſucceeding in his deſperate enterprise. As to the mode of raiſing the men, he thought it excellent in every point of view; but more eſpecially, as the men were not reſtricted to ſerve in their reſpective counties, or countries—the only difficulty he ſaw was to get the clothes on the recruit, for when once he was dreſſed in a red, blue, or grey coat, he feared no danger; the man who would before dread to croſs a brook, would then ſtem the torrent without diſmay; give him facings and a cockade in his hat, then he flies away to glory.

DUKE OF RICHMOND felt as ſenſibly as any noble lord in the Houſe the importance of this criſis, and the danger to which the country was expoſed. He was aware that every thing we held moſt dear and ſacred would be at iſſue in the conteſt. The independence and liberty of Great Britain were menaced with deſtruction by an enemy who had hitherto been but too ſucceſsful. Every reſource therefore, every energy ſhould be called forth in defence of thoſe rights, which it is our pride to inherit from our illuſtrious anceſtors, and which, if we ſtill poſſeſs Engliſh hearts, we will tranſmit to our poſterity, pure and unſullied. How far it was ſafe or politic to engage in continental alliances, he would not now diſcuſs; it muſt depend on circumſtances: but he had no heſitation to obſerve generally, that ſuch connexions were always uſeful when the real intereſt of this country was conſulted. But deprived of theſe connexions, the country could do little to injure or materially affect the enemy on the Continent. —The third ballot comes now, amounting to 40,000 men, that is, more than double the number propoſed in the firſt inſtance; this he really felt a ſtrong meaſure, and would be conſidered as ſuch by the nation. He apprehended alſo, that it would have the effect of damping the ſpirit of the people, without which, at this critical juncture, it would be abſolutely impoſſible to accompliſh any thing. He could ſpeak with certainty from his own knowledge of the baneful effects that muſt inevitably flow from it. A regiment conſiſting of 800 men, which he had the honour to command, was deficient 200 from its operation. —To this meaſure he had another objection; the men to be raiſed were all infantry. Now, he thought cavalry the moſt efficient force that could be oppoſed to the enemy in ſuch a country as England. He would alſo ſuggeſt the propriety of augmenting the horſe artillery. It was a force too obviouſly uſeful to be neglected by the Government. He concluded with recommending, that the men ſhould be taken out in diſtricts, and be accuſtomed to ſhoot at marks on Sundays, ſo as to be prepared when there ſhould be real danger and actual neceſſity for their exertion. Above all, it was the ſpirit of Engliſhmen, and nothing but this that could carry them through the difficulties in which they were involved; but let that be called forth, and Europe perhaps would be independent, at leaſt Britain muſt be free.

LORD FITZWILLIAM could not help lamenting that the different plans propoſed for raiſing the Supplementary Militia, and the additional force now to be called out, muſt materially obſtruct the recruiting of the regular army. Indeed it was impracticable that thoſe different plans could be carried into effect at the ſame time, as they naturally obſtructed each others progreſs. It was therefore better to ſuſpend the progreſs of the one until the other was completed.

LORD GRENVILLE ſaid, that he could not agree to the motion, unleſs it had been accompanied with the obſervations by which it was introduced by the noble Secretary. He could not therefore conceive that there was any thing irregular in them. As to the meaſure itſelf, no time ſhould be loſt in putting it into execution. For twelve months paſt France had not ceaſed to purſue her inſults and aggreſſions, and a quarter of a year had elapſed ſince the meſſage was brought down, ſtating the neceſſity of reſenting thoſe aggreſſions. The very armaments which were then ſaid to be preparing in the ports of Holland and France, were ſuppoſed to have in view the invaſion of this country. That apprehenſion was entertained ſo far back as the month of March, yet we were now far advanced in the month of June without having matured any plan for repelling the meditated attack; and that plan, how was it to be executed? By ballot; a mode that muſt neceſſarily obſtruct the progreſs of recruiting the army. Where then was the activity and energy of miniſters? On the contrary, was not the danger that firſt threatened the country augmented tenfold by their ſupineneſs or indeciſion? On the loſs of Hanover the noble lord then expatiated in the ſame ſtrain as the noble Earl (Moira), and contended that the poſſeſſion of that country made an inconceivable addition to the incredible means of annoyance with which the enemy were already provided. Indeed if the proper courſe had been early purſued in the month of March, the enemy would not have been able to poſſeſs themſelves of Hanover, and other places which they are now known to occupy. If the treaty of Amiens had not cut us off from all continental connexion, the conduct which miniſters have ſince obſerved, muſt have had that effect. As to the meaſure now propoſed, whatever might be its defects, it ſhould be immediately put into execution; for any thing was better than the ſtate of diſarma-

ment and unpreparedness in which the country was now left. He did not look upon it as a compulsory measure; and even if it was, he should not disapprove of it under the present circumstances of the country; for those who are protected are bound to defend. Common defence is the first condition of society itself, and every individual is called upon to contribute to it. This was the immediate principle of all government; a principle recognised by the British constitution, and which might easily be traced back to its formation. If the adoption of the measure now proposed should have the effect of rendering ministers unpopular, he was ready to bear his part of that unpopularity; for the extraordinary circumstances of the country fully justified government in resorting to extraordinary means of defence. The force that was thus to be raised should be applicable both to offensive and defensive operations. A defensive war did not deserve the name of war; no, not even that of defence.

LORD HOBART denied that ministers were liable to the charge of inactivity in preparing and maturing the plan. What delay it met with was not imputable to them, but to circumstances over which they had no controul. Into the defence of the Treaty of Amiens he should not now enter; he should only observe, that the peace, when concluded, disbanded the militia of necessity. Neither was the delay in recruiting the army imputable to ministers; nothing was more unfounded than such an imputation. He was sorry that those noble lords who so strongly objected to the present plan, did not condescend to propose a better. It was also objected to ministers that they did not adopt offensive measures; but the contrary was notorious to every body, for those measures had not only been employed, but they were known daily to succeed. As to the charge of leaving the Continent in the style in which it now stood, he could not help wondering that it should come from the noble Lord (Grenville) who had solely presided in the foreign department, and who had left the Continent nearly in the same condition in which it was now placed.

LORD SHEFFIELD could not help considering the proposed plan as a measure of the most oppressive and provoking nature. In the space of three months it would appear, that one hundred and ten thousand men were to be raised by ballot; and what must be the consequence, but to throw their wives and children upon their respective parishes.

HOUSE OF COMMONS.

Monday, June 20. (*Min. p. 973.*)

[KING'S MESSAGE ON THE ARMY OF RESERVE.]—The SECRETARY at WAR: in calling the attention of the Committee to the subject of his Majesty's message, communicated on Saturday said, I wish, before I proceed to any details, to say a few words on the main objects of that message. The objects which it points out are, first, the adoption of steps for making more effectual provision for the security of the country against those threats of invasion which are so openly avowed by the enemy; and secondly, for enabling his Majesty to employ such a force for offensive operations as may lead to a more vigorous prosecution of the war. I do not think, that it will be necessary for me to employ much argument to prove that, at such a conjuncture as the present, it is the bounden duty of Parliament to make such a provision for the national security as the circumstances in which the country is placed appear to require. In providing for this security it is necessary to take into consideration the actual state of our present means of preparation, and the means of offence which now exist in the hands of the enemy. Looking then to this object, I believe that no gent. will be disposed to deny that a very considerable addition ought to be made to our present military establishment. In saying this, I beg it to be understood, that I allude to the times in which it is our lot to live, to the new and unprecedented circumstances in which the country is placed, to the extraordinary character and conduct of that person who is the sole depository of the power, the resources, the population of the French republic. In other times, and under other circumstances, adverting to common difficulties and common dangers incidental to a state of war, I have no difficulty in declaring, that our army on its present footing, or as it will stand in a very short period, and with a fleet commanding the sovereignty of the sea, we should be entitled to hold in complete contempt any threats of invasion. When I say this, I mean to apply it not to Great Britain alone, but to Ireland, and to all the dependencies of the British Empire. But in adverting to the present times and the present circumstances, it is needless for me to impress the necessity of taking much more enlarged and comprehensive views. We have heard, and that too on the highest authority, what the views of the present governors of France are with respect to this country. We have heard the declarations of a number of French generals in offering themselves to accompany the Great Consul in the vessel which was to carry to this country the destinies and the vengeance of the republic. What the destinies of France may be I shall not pretend to determine. All that every friend to the tranquillity of mankind can wish is, that they may ultimately lead to the happiness, justice, and freedom of the French people, as well as to the restoration of those principles on which essentially depends the repose of Europe. With respect to the other part of the cargo, I have no hesitation in saying, that it is of a very different description. We are told that it is to consist of the vengeance of France against this country. I verily believe, that if ever Buonaparté attempts a passage across the Channel, and endeavours to land on our coasts, he will find the passage more tremendous than the passage over the Styx, so beautifully described by one of the finest poets of antiquity.

" Stabant orantes primi transmittere cursum,
" Tendebantque manus ripæ ulterioris amore,
" Fata obstant, tristique palus inamabilis unda,
" Alligat, et novies Styx interfusa coercet."

I am sure that I only speak the sentiments of the great majority when I say, that the First Consul of France cherishes, as the object dearest to his heart, the destruction of the essential interests, the independence, the very existence of this country. These views have been too distinctly developed to

render it necessary for me to enter into any argument on the subject. These views cannot be better explained than by ſtating them shortly, as tending to the degradation of Great Britain from the rank which she has long held, to her ultimate reduction to the debased condition of vassalage to France.—What may be the result of the views of the Firſt Consul of France, I shall not take on me to say, for it is not easy to determine what can be imputed to the workings of a mind influenced more by personal and false glory, than by plans of real advantage. But, irregular and extraordinary as was his whole conduct, it is not less necessary to watch againſt the consequences of the mad paroxysms of his ambition, than the more concealed projects of opposite characters. When we hear of successive armies and fleets being sacrificed in the project of invading this country; when we hear that no repulse will divert him from his plan of injuring this country, and that he considers no sacrifice too great. When we know this, I contend, that it is the solemn duty of government to submit to the consideration of Parliament, the propriety of taking some effectual ſteps to put the country in a ſtate of complete security. It is on these principles that I have now risen, and that I hope the plan which I shall now submit, will appear one arising out of the circumſtances in which the country is placed.—This plan is, that an additional body of fifty thousand men shall be raised, assembled, and organised, with all possible expedition. Of this additional force, it is proposed, that forty thousand shall be raised in Great Britain, and ten thousand in Ireland. It is intended that they shall be assembled with the leaſt possible delay, and immediately be placed under the command of military officers of approved character and experience. With this force, properly organized, added to the force already in exiſtence, I truſt, that under the blessings of Providence, we shall be placed in a ſtate of complete security againſt any attack on the part of the enemy, while we shall have applicable to offensive purpose, a very considerable disposable force. On this part of the subject I wish particularly to solicit attention. I believe it is not necessary for me to waſte any of the time of the Committee in attempting to prove that the consequences of such a syſtem muſt be highly beneficial. It has been too much the subject of regret, that at the commencement of war the ſtate of our military preparations has never at all corresponded with the means of exertions which the country possessed. At the commencement of the late war this disadvantage was fully experienced. At that time the ſtate of our military power was not at all in proportion with our general resources, with the other means of annoyance which we possessed. As far as I underſtand our present military syſtem, I think that an important change, sooner or later, cannot be avoided. This is not, indeed, the time for inſtituting any changes in this very important department of the public service. Such changes can with propriety only be introduced in a period of general tranquillity, but the whole syſtem ought, as soon as possible, to be probed to the bottom, and I truſt that whenever a fair opportunity is presented, it will meet with due consideration from Parliament. I adverted to this accidentally, but now return to the subject more directly under consideration. In the plan which I shall now have the honour of ſtating, there are three leading principles. The firſt is, that a large additional force should be, as speedily as possible, collected for the more effectual security of the kingdom. The second consideration is, that the services of the body of forces so raised shall be extended to every part of the United Kingdom. In defence of this part of the syſtem, it is not necessary to employ many words. Since the Union with Ireland, the identity of the two countries is eſtabliſhed, and, by extending the services of this Army of Reserve to Ireland, a much larger body of the regular troops will be left applicable to any purpose which may require a regular force. The third principle to which I wish to advert is, that the levies shall be conducted in a manner as little burthensome as possible to the country. It is on these principles that I now go on to explain the details of the plan, by which a very large additional force is to be eſtabliſhed. As to the age of those to be included, it is meant that all males from the age of 18 to 45 shall come under its operation. This army, when levied, shall be immediately assembled, and brought into a ſtate of proper discipline under officers to whom I shall presently advert. I have already said that the services of this body, whom I shall characterize by the name of the Army of Reserve, are to be extended to every part of the United Kingdom. I have ſtated the principle on which this extension is proposed; and when I add that it is meant to extend their services to the islands of Jersey and Guernsey, I am confident that no gent. can have any reasonable ground of objection. As to the time to which their service is to extend, it has been judged expedient that for ballotted men the period should be four years, or for six months after the conclusion of a treaty of peace. The mode in which the ballot is to be conducted is to be similar to the ballot of the Militia, and, as far as they are applicable, all the regulations relative to the assembling of the Militia are to be adhered to. I will ſtate the grounds on which such an arrangement has been adopted. The ballot appeared the moſt effectual and speedy way of procuring the levies. I do not mean to say that voluntary offers of service may not be found of high importance, and adopted to a very considerable extent. On the contrary, I entertain a perfect conviction that the people of this country are sufficiently aware of the importance of the ſtruggle in which we are now engaged. I know when these feelings are properly excited there will be no want of national spirit, in supporting a cause involving intereſts of so important a nature. I know what has been done in a great national cause in former times. I can look back to the public spirit of this country in the time of King William, when in less than six weeks thirty battalions were organized for the public service. At the same time giving the higheſt credit to the spirit, the zeal, and the loyalty of the country, I think it necessary for me to ſtate, that it has been judged expedient to follow the syſtem of the Militia Ballot, as the speedieſt and the moſt effectual mode of raising the necessary supplies. I recollect what took place in 1797, on the syſtem for calling on each parish to furnish a certain quota of men for manning the navy. The number proposed to be raised was seven thousand, but not more than fourteen hundred were made applicable to the public service. It is from the knowledge of the plan being thus inefficacious that I am induced not to resort to it.—The next point

is the manner in which it is proposed that the appointment of the officers shall be conducted. On this I have a few observations to offer, I think, generally, that it is highly important in appointing officers not to resort to those who have a qualification to be appointed officers in militia regiments. We know already, that in consequence of the augmentation of the militia to 70,000, there has been a necessity of recurring to the appointment of officers not recognised by the original laws of the militia. In the late war we found a similar inconvenience. I shall beg leave to state the sources from which I conceive that an adequate number of able officers may be procured. The Committee cannot have forgotten that at the conclusion of the late war twenty battalions of troops whose term of service was limited to a particular period, were disbanded. Of the officers, though a number were afterwards employed in the army, a very large proportion are now unemployed, and ready to proffer their services at so perilous a moment. From this body of men a very large proportion of able and zealous officers might, without the smallest difficulty, be obtained. But there were many other channels from which officers may be procured. We have the whole body of the half-pay officers, among whom are to be found many individuals whose talents and whose services entitle them to be employed at a moment when whatever there exists of talent ought to be made subservient to the public interest. There are many whose domestic connexions do not permit them to continue in the army at a time when foreign service is rendered essential. These considerations we cannot fail to respect, and no one can doubt their readiness to take the most active part in the service of their country, if there was any prospect of their taking an active part for its honour and its interests. In this quarter I anticipate all that the most sanguine expectation can hope for. I bring those officers who have for a long time served in the pay of the East-India Company; there are many officers now in this country, who would willingly offer their services at the present moment. If it should be found necessary we can also recur to the services of the officers of the militia regiments, who during the last war distinguished themselves in Ireland, and who, in point of knowledge of all the details of military discipline, rank high among men of the first military character. I do not think that I am pressing this matter too far when I refer to the assistance which, may be drawn from the staff for carrying on the recruiting service. The gentleman who is now at the head of the department is, indeed himself a host. While I am enumerating so many sources, from which supplies of officers may be derived, I cannot pass over the corps of Marines, a body of men whose conduct has, on all occasions, been worthy of the highest admiration. From the officers on half-pay in this body, a most important augmentation of the national strength might be effected. It may be objected, that according to the principles which I lay down, the same sort of principle ought to have been extended to the Irish Militia. My answer to this objection is short, though decisive, When the General Militia Bill was before Parliament, the object was to simplify and methodize the existing laws, and therefore a bill which professes to be brought in on very different principles, and for different objects, ought not to be confounded with it. Having gone through these details, it is now my duty to describe how the plan is to be reduced to practice. I begin with explaining how the number to be provided for are to be drawn. For the counties of England there are not much upwards of thirty thousand, which is nearly the amount of the militia when in profound peace, and before the augmentation of the Supplementary Militia took place. It is meant, that the City of London, the Tower Hamlets, and the Cinque Ports, which have not hitherto contributed to the militia, shall furnish somewhat above three thousand more. Scotland is to furnish six thousand; and ten thousand are to be raised in Ireland, as the proportion to be furnished by that part of the United Kingdom. On this part of the subject I wish to direct the attention of the Committee to the state of the demand for military purposes at present, and during the late war. I wish the Committee to see, what was the proportion of the population then called for, and now demanded for the public security. The fact is, that during the late war the militia of Great Britain, including fourteen thousand forces, which, however, were never properly employed, was equal to a hundred and fourteen thousand men. Now reckoning for England seventy thousand militia, for Scotland eight thousand, for Ireland eighteen thousand, as the law now stands, the whole will be found to be not more considerable than was furnished at a time when reasons for exertion were not so evidently urgent. On the score of the pressure of the measure, therefore, it is not liable to any particular objection.—I come now to advert to the exemptions which it has been thought proper to establish. In these I have endeavoured to keep, as nearly as possible, sight of the provisions adopted when the bill for calling out the Supplementary Militia was published. It is hardly necessary for me to state, that all officers in his Majesty's service, that all privates connected with any particular regiment; that all officers on the half-pay, and all privates in the same situation, shall not be subject to the ballot. The next class of exemptions, is the case of the resident members of the two Universities. In Scotland the resident members of the Scotch Universities are to be exempted by a clause in their own militia bill. The clergy holding livings, and licensed preachers are as formerly to enjoy an exemption. In alluding to this last class of exemptions, I have to observe generally that while the principle of toleration, which has been religiously preserved since the accession of the Brunswick family, will be respected, care shall be taken to prevent the repetition of abuses which have been deservedly the subject of complaint. The artificers in his Majesty's dock-yards are as usual to be exempted. All poor persons having more than one child under ten years, are also to be exempted from the operation of the plan. As to yeomanry and volunteers, I cannot but express myself in the warmest terms of their important services to the country. No man is more ready than I am to do justice to their disinterested and patriotic conduct. No man can speak of them with more respect and affection. At the same time, when speaking of a measure, which will operate with such considerable pressure, it is proper that in forming exemptions, we should not go beyond what fairness and justice should prescribe. Applying this principle to the volunteers, it is intended, that the exemption shall extend only to those corps which were actually introduced on the day when his Majesty's last message was delivered. To this extent the exemption appeared founded on fairness and justice, but to extend it might have the the appearance of undue partiality.—I conceive that

the measure which is now proposed to the Committee, is one, which if carried into effect, will alike support the glory of the country in the prosecution of the contest, and tend to bring it to a speedy termination. I shall not be contradicted, when I say, that there is no more effectual way of carrying on the contest with honour and glory to the country, than by placing in the hands of government such a large disposable force as the measure which I have been recommending is calculated to afford. I need not remind the Committee how much stress has been laid on the war, which was to be waged against our financial resources. Happily we have already made such arrangements as will effectually defeat his projects in this respect, and we have now, only, to teach him, that if he was disappointed in his views of gaining any advantage over us, by endeavouring to ruin us by a war of finance, he was equally erroneous in his calculations, when he supposed, that the energy and the resources of the country were not equal to every emergency. I believe that the adoption of this measure, will not only discourage Buonaparté, but that it must enable us to attack him in some of his weak and vulnerable points, and ultimately force him, instead of looking abroad to the destruction of foreign nations, to survey his own internal situation, which was much more precarious than he was perhaps at present disposed to imagine. I believe that the system for which I have been contending, would produce perfect security at home, and by convincing the First Consul of France that the spirit of Englishmen never can be subdued, induce him to listen to proposals of an amicable description.—He concluded by moving first for an address to his Majesty, thanking him for his gracious message, and assuring him of cordial support.—He next moved, that the chairman be instructed to move for leave to bring in a bill for raising a large additional force for the more effectual defence of the country and the more vigorous prosecution of the war.—MR. WINDHAM *opposed the motion in an eloquent speech, of great length, which will be found at p.* 930 *of this volume.*

The CHANCELLOR of the EXCHEQUER said, it was not his intention to follow the right hon. Gent. through the great variety of observations he had thought proper to make; but he would submit it to the candid judgment of the House, whether ministers were liable to the charge of bringing forward tardy and ill-considered measures of preparation. It was now only five weeks since his Majesty's message had been delivered to the House, and within that period 50,000 men had been voted, and the Supplementary Militia had been called out. Therefore he thought ministers had not preserved that kind of dignified calm which the right hon. Gent. would ascribe to them. He disclaimed the imputation of wishing to conceal the actual state of the country; and the facts he had stated relative to the increase of the navy, and the calling out of the Supplementary Militia were sufficient to shew that the assertion that ministers were secret in their preparations, was unfounded. In addition, it was now proposed to raise 50,000 men by ballot, similar to the militia, and free from two great objections which that right hon. Gent. had frequently urged against the militia system. It was to be extended in its service, and was to be officered by men of military experience; a circumstance which must secure that discipline which constituted the life and soul of an army. The proposed force, therefore, was not liable to the objections which would apply to the militia. Many of the arguments of the right hon. Gent. were entitled to very great weight; and if it was now a matter of option whether to have a regular or a militia force, he would have no difficulty in preferring the former, if in the present circumstances it were practicable to raise such a force by the ordinary means within reasonable time. The greater part, however, of the objections which the right hon. Gent. advanced this evening to the militia system, would have come with more propriety in the course of the discussions which took place last sessions upon that subject; but, though he now thought proper so strongly to urge his opposition to the measure, because it was founded on the plan of the militia, yet he admitted that the raising of a regular army in lieu of it was quite impracticable. Therefore, the right hon. Gent.'s only reason for declining to vote against this measure was, that it was better to have the proposed force than none at all. But, the right hon. Gent.'s chief charge against ministers was, their delay in bringing forward this measure.—That delay, however, was designed with this view, that both the regular and supplementary Militia should be fully supplied before the balloting necessary for the force now under consideration should commence. Such was the motive which influenced that conduct in ministers of which the right hon. Gent. complained. Ministers had proceeded by a gradual succession of measures to provide for the complete resistance of the enemy, and in a way which, he trusted, would meet the approbation of the House. As to the revision of the militia system, he would say that this was not the proper time for that discussion; and he would ask the right hon. Gent. how he could suppose it possible to recruit a regular army to the number of 50,000 men without resorting to means of compulsion which he hoped even the right hon. Gent. himself would not approve? With respect to the danger of the country he had no hesitation in saying, that he never under-rated it; neither in public or private did he ever attempt to disguise it. He felt it to be of that nature which could be contemplated without dismay, but which no worthy or rational man could contemplate with indifference. To the right hon. Gent.'s ideas upon the propriety of raising men for the regular army for a limited time, there were many objections, the force of which he felt, particularly in consequence of our colonial possessions; for, supposing men were enlisted for only five or six years, what numerous inconveniences would arise to the service, especially where regiments were stationed in America, the West Indies, or any remote quarter of the empire. Perhaps in the event of a whole regiment being ordered on any expedition, only the skeleton of such regiment would be forthcoming. In fact, the system of the right hon. Gent. scarcely ever prevailed in any nation which had colonial possessions, and in this country it would be quite absurd. Returning to the measure before the Committee, and the observation of the right hon. Gent. that it would create a difficulty and impediment, if not an insurmountable obstacle, in the way of recruiting the army, he would ask the House to consider its character and object fully, and if any better should be suggested to prefer it. If any member could devise a plan for raising a force within the proper time by means more effectual and constitutional, he should embrace it; but even the right hon. Gent. himself admitted that it was impossible. Why then did he oppose it? But his opposition was not quite correctly founded, for his arguments generally applied to extremes. He always dwelt upon comparisons between the regular army and the militia, and entirely left that middle course which was precisely the description of the force now under

consideration. He highly valued the services of the regular army; but however he relied on the assistance, or upon the zeal and exertions of our other forces, he begged the right hon. Gent., the house and the country to understand that government did not mean entirely to rely on these means, and that the proposition now before the Committee was not the limit of their arrangements for the attainment of the objects of the war; for, independently of the means already referred to, he had no doubt that should circumstances render it necessary, the great body of the country would, upon an appeal from their Sovereign, stand forward in defence of their rights and independence. Upon the prompt assistance of such a voluntary force he confidently reckoned; such a force as must render the country impregnable, and as must convince the person who now directs the government of France that it would be absurd to speculate upon a successful invasion of this country. Perhaps it is happy for the interests of this empire that the occasion now offers to shew that any projects of attack upon our finances and independence, such as the French government seems to entertain, must be vain and futile. Without enquiring into the general systems alluded to by the right hon. Gent. which it was not now necessary to discuss, he begged the Committee to consider whether the plan submitted to their judgment was or was not fit to be adopted in the present posture of affairs, and calculated duly to second the other arrangements made to meet the situation of the country. If it was so thought, he begged of gentlemen to turn in their minds, and to recommend the best means which might occur to them of rendering it more effectual, and carrying it into complete execution.

MR. PITT completely differed, with almost the whole of his right hon. Friend's ideas, though he concurred in the code upon which he (Mr. Windham) professed to found them, but to which, in his judgment, they did not apply. He had stated before, that as he agreed in the principle of the plan, he would not obtrude himself on the time of the Committee; for as his only desire was to render this plan effectual for its object, he would state his opinions in a future stage; but, as he was on his legs, he took occasion to say that his objections applied to some of the exemptions, and particularly to the proposal of allowing a pecuniary commutation for services, for he had very serious doubts whether it would be right in any case that a pecuniary fine should be accepted. His opinion was, that unless the individual balloted should have his substitute forthcoming, personal service should be required. He declared that he felt great satisfaction at the outline of the plan under consideration, and he was therefore disposed to give a silent vote, if his right hon. Friend had not misconceived him, unwilling to throw out any expression that might tend to interrupt that unanimity which, for general reasons, was so much to be wished for at this conjuncture.

The SECRETARY at WAR, in reply, remarked that the right hon. Gent. (Mr. Windham) had complained, among other things, that the measure was tardy and ill-considered. That it was tardy he could not allow, for it could not have been brought forward earlier after the declaration of war than it had been; and whether it was ill-considered remained for the House to determine. It was open to the criticism of all. The same right hon. Gent. had said that ministers had scandalously neglected their duty in regard to all military operations. To this charge he pleaded not guilty. Ministers had not been inattentive to the means of calling forth and rendering efficient the force of the country. He ventured to assert that, whether with respect to the force which the war found in their hands, the military situation of this country would bear a comparison with our situation at the commencement of any war in which we ever were engaged. It would be found that every effort had been employed to keep up a force adequate to our security, and capable of being called forth with energy on any emergency. With many of the right hon. Gent.'s (Mr. Windham) opinions he agreed, though he looked upon some of them as ill-placed. What he had said on the subject of the militia would have come with better chance of attaining the object, had it been offered when the subject of the militia was under consideration last year. With respect to commuting the penalty for not serving personally, he contended that the object which was to raise men speedily, would not be answered. High bounties alone would not do, and had that been considered a fit and efficient mode of raising men, government would have proposed to Parliament to grant funds for that purpose, without waiting to levy them in companies or parties on individuals. But it was found that another system must be resorted to. It was men and not money that were wanted, and it was no objection to this measure to say, that it was not stronger than the necessity in which it was founded. He denied that the measure proposed would give us nothing but a militia. As to what had been said on the subject of young officers being allowed to raise men for rank, he denied that any such thing was now done or intended. He supposed that the right hon. Gent. had alluded to the circumstance which had taken place since the abolition of the field officers company, by which three more captains had become necessary in a regiment. He explained the nature of the change, and shewed, that allowing the first lieut. to raise 30 men, was in no respect allowing officers to raise men for rank. When these men were raised, it was at the regulated bounty, and one half of the money was paid back to the officer. If more bounty-money was given than the regulated sum, it was a contravention of the orders of his R. H. the commander in chief. The raising the men in this way was not the price of rank, but it promoted the recruiting service by inducing men to pay attention to the recruiting, which was not eagerly performed when the officer had no particular object to stimulate his exertions.

[IRISH BUDGET.]—MR. CORRY, the Chancellor of the Irish Exchequer, rose. He said, that he should be under the necessity of trespassing but a short time on that attention which the Committee and the House were always disposed to pay to the affairs of Ireland, while he laid before them a statement of the ways and means of the year, for that part of the United Kingdom. He had but little to do; because he had nothing to do but to present, in the usual manner, the charges and the provisions that were necessary for them. Although every man that was good and patriotic in Ireland must approve the great efforts and the important sacrifices of which England had already set the example for the support of the war, yet

the war was too young to admit of Ireland imitating that example, even to the extent of her comparative ability. He should proceed, therefore, without any general observations, to lay before the Committee the financial statements of the present year.

Supply.

The whole of the joint charges for England and Ireland, as had been stated by his right hon. Friend on a former day was 27,000,000l.

Of which the proportion of Ireland, in Irish money, was - -		3,602,000l.
The separate charges for Ireland were, interest of debt, Sinking Fund, &c. - - -	2,040,000l.	
Compensation, the last that would be paid	300,000	
Navigations - -	150,000	
Treasury Bills - -	386,000	
		2,876,000
Making in all for Ireland - -		6,478,000l.

There were likewise in the hands of the Bank of Ireland Treasury Bills, similar to Exchequer Bills here, which the Bank of Ireland, he believed, would have no objection to renew.

Ways and Means.

To make good this sum of 6,478,000l. of charges, there were—

Balances in the Exchequer, similar to the growing produce of the Consolidated Fund in England -	350,000l.
Revenue for the current year -	3,000,000
Lottery the same as last year -	200,000
Which, with the proportion for Ireland of the late loan, amounted to	5,916,000l.

Leaving a deficit of upwards of 500,000l. To supply this deficit, he proposed to raise a loan in Ireland, to the extent of a sum not exceeding 1,000,000l. This would leave a surplus in the Exchequer of Ireland, which, when the circumstances of the present crisis, and the possibility of sudden emergencies were considered, would not appear improvident or unnecessary.—It remained for him to point out the new taxes by which he proposed to pay the interest of the loan. Before he proceeded to do so, he begged leave to say a few words on the subject of the trade of Ireland. Last year he had informed the Committee that the balance of trade for two years had not been so favourable for Ireland, as could have been wished. That balance, he was happy to find, was now more favourable than it had been, though he still confidently looked to great and important improvements. That the balance of trade was becoming more advantageous to Ireland, was proved by the amount of the exports and imports. He took occasion to remark, that this balance was more favourable than it appeared from the official value. The mode of account still continued in Ireland in this department. He shewed that the official value did not in reality shew the true value of the goods exported, which, where a duty was to be paid were rated at their bare value, without including the freight, profit, &c. of which the place consuming the goods must return to the merchant exporter. He had the satisfaction of thinking, therefore, that notwithstanding the exports were exceeded by the imports, it was not by so considerable a balance as at first appeared, and, as a portion of the imports was of raw materials, he trusted that the drains which had been so unfavourable to Ireland would gradually be diminished. Last year he had ventured to express a hope that the linen trade would this year increase, which from the circumstances of the times, the prevalence of scarcity, &c. had in the preceding year been confined. He was happy to think that this was in some measure the case, and that most of the old stock in Ireland had been carried off, and there was the prospect of an increasing demand. Under the head of provisions and corn there had been a considerable increase, independent of the extraordinary demand for provisions which the war would necessarily occasion. On the head of provisions there was an increase in the value of the exports of 250,000l. and on corn 550,000l. beyond the former year. Although he regretted the war, he was happy to think that in some respects it would be attended with superior advantages to Ireland, which would be some compensation for the increased burdens it would occasion. In regard to provisions, and in all probability corn also, we might next year confidently expect an increase. There were the best hopes that the linen manufacture would likewise be increased in an unusual proportion. The importation of flax had never been so great, and likewise the cultivation of this article, so important to the staple manufacture of Ireland, the principal source of its wealth, was never exceeded in any former period.—He next made some remarks upon the revenue of Ireland. He should not at present enter into a detailed statement on this subject, particularly as he should think it uncandid to do so in the absence of a right hon. Gent. with whom he had, on former occasions, some difference of opinion. Last year the revenue had turned out nearly what he had estimated, being about 3,350,000l. but for the present year he should not take it at more than 3,000,000l. The reasons for this were that the duty on tobacco had fallen off, as well as that on foreign spirits. The importation of sugar had likewise been excessive, and it was not probable that the duty would this year be so great, There were likewise some arrears of assessed taxes collected in the former year; so that upon the whole he did not think himself entitled to estimate the revenue for this year at more than 3,000,000l.

New Taxes.

He now came to the new taxes, in the statement of which he should be very brief, for there was nothing new in the principle, or extravagant in the rates of the taxes he meant to propose.—He proposed, in the first place, an increase upon the head of customs, and in consequence of the principles of the intercourse of England and Ireland, in consequence of the Union, this tax would fall entirely on foreign commodities. He proposed the amount to be 10 per cent.

The produce of this he took at	140,000l.
Carried forward -	140,000l.

Brought forward	140,000l.

The next was a duty of export on certain articles. Here he took occasion to remark that it was not the principle of the Union that the same articles in both countries should be subject to the same tax. The rates of revenue were to be proportioned, but the assets of taxation, and the quality of the tax might be separate and distinct. Where, however, it was equally consonant to the interest of both countries that the same object should be taxed, it was desirable to follow that progress to assimilate them. The exports of Ireland, however, he was sorry to say, was not so extensive as to promise a very large sum. This he took at 17,000l.

The next was an additional duty on home made spirits, and he was sure that as far as was compatible with the discouragement of the private stills, the House would feel that to discourage the use of spirituous liquors was to promote the industry and the good morals of the people. 9d. per gallon on home spirits, and a countervailing duty of 9d. per gallon on foreign spirits, over and above the 10 per cent. would give - - - - - 30,000

Here he noticed that from the duty of our imports, tobacco would be exempted, because it was found that in time of peace, it could not bear the present rate

The last object was malt. Malt, he said, was used in the distillery in proportion of one-half, and therefore the distillery would contribute on this part. He hoped, as far as it affected the brewery, the tax would not be attended with any inconvenience, because he considered the encouragement of the brewery in opposition to the distillery, was attended with the most beneficial effects. He proposed to make the tax 1s. the barrel of malt, the brewery in Ireland being subject to no other duty of excise. This he calculated at - - - - - - - - - 40,000

Total of taxes		380,000
Interest of the loan in England - - - - - -	143,000	
In Ireland - - -	65,000	
		208,000
Surplus - -		172,000l.

It might be asked why he proposed to levy taxes calculated to produce so much more than the interest of the loan? In answer, he observed, that the situation of the empire called upon us to make ample provision for future exertion. If peace took place, the produce of the present taxes would enable Parliament to reduce the rate on several objects which, during peace, could not be made to bear the rate they were now loaded with. If the war continued, the surplus would go in aid of the vigorous exertions which we should be called upon to make. If the people of Ireland looked at the brilliant and solid measures of finance, the sinking fund, the surplus of the assessed taxes, the income tax, of which the illustrious statesman who till lately presided over that department had given the example, and those energetic measures which his right honourable friend had lately brought forward for the support of the war, they would feel themselves impelled to follow the same course, and inclined to submit to larger temporary burdens, in order to secure their permanent interest and prosperity. It might be some time before the people of Ireland, fully aware of the dangers that impended, made up their minds for such sacrifices, but he hoped the time was not distant when, with the approbation and aid of all the intelligent classes of that country, he should be enabled, if he continued to stand in his present official situation, to propose a tax upon property as a war resource. He concluded with moving the resolutions for the new taxes.

HOUSE OF COMMONS.

Thursday, June 23. (*Min. p.* 974).

[ARMY OF RESERVE BILL.]—Mr. CALCRAFT thought that before the Secretary at War brought forward this measure, which was admitted to be only a part of a larger system of defence, he ought to have stated the whole of the plan which government had in view, not only to provide a force for defensive but offensive operations; he meant that they ought to have stated the means they meant to adopt for recruiting the regular army. The necessity of filling up the regiments of the line, which had excellent and experienced officers, was generally admitted, but if 50,000 men more were to be taken out of the population of the country for defensive purposes alone, it ought to be stated how the regiments of the line were to be filled up for offensive operations. For his own part, so convinced was he of the necessity of completing the regular army, that he would concur in any measure, however strong, for that purpose, he would even have recourse for balloting for that purpose, if it could not be done by bounties. His great objection therefore to this measure was, that it would throw the greatest impediments in the way of recruiting for the line. It had been admitted that a sufficient number of men could not be raised for the regulars by bounties; if that was the case, it would be necessary to have recourse to a ballot, and it would be better to have recourse to that in the first instance, than after 50,000 men had been taken

from the population of the country, merely for the purposes of defence. Every body concurred in thinking that the war ought to be carried on with vigour, and certainly the beginning of the war was the time for vigorous offensive operations, before the enemy could have time to secure his vulnerable points.

Mr. SHERIDAN rose to deprecate what he considered as a premature discussion upon this bill. He hoped there would be no more invidious comparisons or acrimonious language respecting the militia. He hoped that gentlemen on all sides would occupy themselves only in augmenting the means of defence of the country; and he trusted that although the committee which had sat upon the King's Message had not asked leave to sit again, yet that some further means of defence would be adopted. He could not help differing from the honourable gentleman who spoke last, who said he would have no objection to balloting for men to fill up the regiments of the line. He was sure the honourable gentleman would not, upon reflection, think of forcing men into the regulars, who would then be at the disposal of the Crown, and who might be sent abroad upon any service that was thought proper. The case was very different as far as respected the internal defence of the country. Every man was bound to stand forward for the defence of the country in case of invasion, at the command of the Crown, or even the Sheriff; but it would be too much to force men by ballot into the regulars to serve during their lives.

Sir G. HEATHCOTE argued upon the necessity of adopting strong measures of defence, and not to wait till the enemy had landed. As to the rising *en masse*, he considered it as nonsense. If people were afraid to meet the danger, he should have but a gloomy prospect of the safety of the country.

Mr. W. ELLIOT said, his principal objection to the measure was, that it would go to prevent the establishment of a large regular force. This he considered as necessary for the future safety of the country. It was the only force that was fit for offensive operations, and certainly the best for defensive; for certainly a well-timed aggression was, in many cases, the best means of defence. This was so obvious, and so generally admitted, that it was not necessary for him to press it any farther. He knew that this country could not have the same military force that another country of equal population could have. The extent of her navy took away many men from the army, besides the general prosperity of the country, its opulence, and the extent of its manufactures, were many reasons why its army could not be recruited like those of other countries. But he thought the experiment of recruiting had never fairly been tried, because whenever they tried to get a large force for the regular army, it was always sure to be counteracted by raising a large force also for domestic service; and while ten guineas bounty was given for troops of the line, fifteen guineas at least, and sometimes more, were given for the militia service; so that the people of this country were taught to look for large bounties. There was a great diversity of opinion about the militia. He confessed he was a friend to the principle of the militia, and was afraid there was a shade of difference of opinion upon this point between him and his right honourable friend. (Mr. Windham seemed to indicate by his manner, that there was no difference of opinion between them.)—He was glad that he did not differ from his right honourable friend; but though he was a friend to the general principle of the militia, he certainly never would have consented to increase it beyond its original number of 30,000 men. It had been said, that 70,000 men might be raised in this way, without interfering with recruiting for the line; he admitted this might be true, if they were raised by ballot; but if they were raised by bounty, it certainly would interfere with it. He trusted that the government would see the impropriety of raising men for a limited time, and that they would never have recourse to the practice of drafting. He was of opinion that we should at last be obliged to have recourse to balloting to fill up the regiments of the line, for they must be filled up, and he did not see that it would be productive of more inconvenience than the present measure The safety of the country would be risked, if they did not meet an invading enemy with the best force that could be procured. That the militia would upon that, and every occasion, be found full of courage and of enthusiasm, he had no doubt, but it certainly would be necessary to mix them with a very large proportion of regular troops. The case of America had, upon a former occasion, been alluded to, and it was said that the American militia were able to face regular troops; but the case of America was extremely different from that of England. In America the nature of the country was better calculated for irregular troops. That the American troops were very good ones after three or four campaigns, he admitted, and so would the militia of England with the same experience, be equal to any veterans upon earth, though he confessed he should be very sorry that they should be taught in that manner. Scotland had always furnished some of the best and bravest troops in our army, and certainly afforded the best means of recruiting from the existence of clanships, &c. but in order to prevent, as it were, recruiting in that country, a militia was formed, and 6000 men were locked up in it. In Ireland he did not doubt but that a large force would be obtained, and by the means of balloting, though they were told, some time ago, that balloting in that country was impracticable. At the close of the last war, the militia of Ireland was disbanded, and a fencible army was established, but it was not to leave Ireland: it was said, indeed, that they would volunteer their services to this country, but he had rather, for many reasons, that it should be a matter of original stipulation, than

of voluntary offer. If we were to persist in this timid, irresolute system, against an enemy who was all vigour and enterprize ; he would not say he would despair, because he hoped such a sentiment would never enter his breast, but he confessed his hopes would be very much depressed. He saw no reason why this measure was not brought forward at a much earlier period. Ministers ought to have been prepared in March, when the King's Message was brought forward ; they ought to have begun to prepare in November, when they detected the military spies who were sent into the country ; they ought to have been preparing in December, instead of amusing the Public with delusive accounts of the state of the finance, and holding out prospects of a reduced peace establishment. They ought, in short, to have been preparing ever since the treaty of Amiens, for it appeared by his Majesty's Declaration, that from that time the conduct of France had been one series of insult and violence. He concluded with expressing his disapprobation of the present measure, for the reason he had already stated, and because it seemed as if miniters were determined to tread back the errors which had prevailed in our military system.

The SECRETARY at WAR said, he did entertain the hope that gentlemen would have delayed the discussion upon this bill till it was fairly before the House ; if that course had been adopted, much discussion would have been avoided, because if they had seen the bill, they would have seen that there was no foundation for many of the objections which had been made. He admitted, that gentlemen were justified, if they thought proper, in discussing the bill in this stage. The honourable gentleman who had spoken last, had spoken of treading back our former errors, but how this measure, which was new in its principle and unprecedented in its extent, could be called treading back our former errors, he could not conceive. The honourable gentleman had also complained that this plan was ill-timed, and that it ought to have been produced sooner. Upon this point he did not think that the honourable gentleman was borne out by his Majesty's Declaration, but he contended, that ever since the conclusion of the definitive treaty of peace, every measure had been adopted, consistent with the practice of this country, to keep the army and the navy upon a large establishment. It was open to the honourable gentleman who spoke last and his friends, to come forward last session, and to have declared their sentiments, if they did not think ministers were doing enough for the security of the country. He now came to those observations which had been made respecting the advantage of a regular army. Nobody, he believed, ever asserted that a regular army was not the best ; but the honourable gentleman had himself stated the reasons why we could not have as large a regular army as other countries of equal population. The insular situation of the country, its civil and commercial occupation, its opulence, the circumstance of our not having any internal war for above a century ; these were all reasons why we could not have so large a regular army as other countries. The honourable gentleman had said, that the recruiting service had not been fairly tried, to this he could only say, that the contrary was the fact. The hon. gentleman seemed to think that it was a competition of bounties that kept men from the regular service : this he denied. It was not money that got soldiers for the regular service : men enlisted for many reasons, some because they wanted to go abroad, some because they wished to change their situation ; in short they enlisted for many reasons beside that of money. In the course of the last year the number of recruits obtained for the army was equal to the average number generally obtained, and in the last 5 or 6 months, the number had been greater, although the recruiting for the militia was also going on. The recruiting for the army was now going on successfully (Mr. Elliot shook his head.) The hon. gent. seemed to deny that proposition, but as far as he was able to judge, his assertion was correct. The number of men now procured was upon an average as great as had been procured since the treaty of peace, that is to say, from 1000 to 1200 men per month. But it was obvious that if a larger force was immediately necessary, such a force could not be collected in that manner, and that recourse must be had to some other means. It had been said that we had not had recourse to the measures that were adopted last war : he had the highest respect, and even veneration, for the administration of that time, but still he could not aprove of all the measures which were then adopted. The right hon. gent. then adverted to the state of the army at different periods of the last war, particularly in 1796, and contended that it was such as ought not to induce gentlemen to advise the adoption of a similar system. The question now was simply this, what ought we to do at the present time, and under the present circumstances ? We had a very large army on foot, but at the same time we were hard pressed on many points : it was absolutely necessary that a large force should be raised, and he denied that they could be raised by recruiting, in the time which was necessary. But it was said this was merely a defensive system, and it was recommended to ballot for the army. Upon this point he agreed with an hon. gent. (Mr. Sheridan), and should oppose such a measure upon every constitutional principle. Every man was bound to stand forward in defence of the country in time of danger, that was the principle upon which the militia was founded, and upon which this measure was founded. He should therefore object to the plan which had been suggested, because it was not regular, and because it was not constitutional. There was one thing he was sorry he did not mention, when he was opening this measure to the House, as it might have taken away some of the objections which he had made to this plan ; he meant the power

which was to be given to men to enlist voluntarily from this force into the regulars. It appeared to him not to be necessary to introduce a clause in the bill for that purpose, because if there was no clause to prevent it, as there was in the militia laws, the men would of course be allowed to volunteer into the regulars. If, however, the House was of opinion that such a clause ought to be introduced, he had no objection. The hon. gent. seemed to consider Scotland as the *officina militum*, and had contended that the establishment of a militia system there had prevented recruiting; but he should recollect that the growing prosperity of that country, operated as strongly against recruiting as in England. The hon gent. should also recollect, that many of the Scotch Highlanders were furnished by London, and that there were perhaps as many English and Irish as Scotch in these regiments. He would not now take up more of the time of the House, he hoped they would consider this Bill, as the best that could be adopted to raise the greatest number of men in the shortest time.

MR. PITT said, he certainly viewed the question in a very different point of view from the Hon. Gent. who spoke last but one; indeed it was almost precisely upon those very points upon which the Hon. Gent. and his friends opposed this measure that he gave his assent to its general principle, subject to those improvements which might be adopted when it came into a committee. In his general approbation of the principle of this bill, he was the more confirmed by what had fallen from his Rt. Hon. Friend who had just sat down, particularly in the latter part of his speech. He considered this bill as being that which appeared to him to furnish the most prompt and efficacious method of providing for that which he considered as our first want, a large defensive force, and as laying the only sure foundation of giving us, within a reasonable time, that which he considered as necessary in the progress of the war, he meant the possession of a disposable force, to enable us to take advantage of any opening that might occur to act offensively against the enemy. If, however, he was asked, which of these two objects he wished to see first accomplished, he would reply, with great submission to those who seemed to have excluded every other consideration from their minds but that of offensive warfare, that although he wished, as much as any man, to see the spirit of the country raised; though he wished not only to see the attempts of the enemy repelled, but his presumption chastised, and his power reduced, yet he must say, that at such a moment as the present, we must take counsel from prudence, as well as from spirit; our first object, ought to be that of defending ourselves, before we concurred in the plans of those Hon. Gent. for inflicting vengeance for the aggressions and insults which we had sustained. If we were so romantic as to say, that the obtaining a defensive force, which would be sufficient to disappoint the proud expectations of the enemy, was a consideration below our notice, if to ensure our safety against an enemy who had conquered, terrified, and oppressed one half of Europe, was a task too humble for us to stoop to; if it was thought that we had better add to the list of his victims, if we could not be enrolled as his conquerors; if gentlemen carried their sentiments of heroism to that extent, they would certainly be justified in opposing this Bill; but he confessed such were not his sentiments. He therefore begged leave to state, that without renouncing active and offensive operations in due time, he was content to see that vigorous efforts were now made to ensure the defence of the country. Nay, he would go further and would say, that if he could not otherwise provide for the effectual security of these kingdoms, he would do it even at the cost of all offensive operations for the future. Therefore, if this alternative was put to him, you cannot in two months provide a regular army for general service, but you can in that time provide a force amply sufficient for the defence of this Island, he would without hesitation adopt it; he would make this Island a proud exemption from the shame and oppression which overwhelmed the Continent, rather than prematurely indulge in plans of offensive operations. Whatever was the number of our forces now, (and he believed it was more than double what we ever had at the commencement of a war), if we wanted to add to that force 100,000 or 120,000 men to secure the defence of these kingdoms, and if that number of men could be obtained for limited, though not for general service, and if we should at the same time have ruin threatening us at our very doors, he would rather submit to what some gentlemen considered as degrading concessions, and make our internal security our first, though our only object. He, however, by no means admitted that the measures which were now proposed to be adopted as the means of safety were such as would prevent us, when the opportunity occurred, from active offensive operations. He said this upon the best consideration that he was able to give the subject, and it was one to which he had not now turned his mind for the first time, but one upon which he had deeply and maturely reflected. He would not now enter into any discussion upon the state of the army last war, or upon the means by which it had been recruited, although that was a subject which appeared to be completely misunderstood by many gentlemen, and even by his Rt. Hon. Friend who spoke last. But without entering into that at present, he was of opinion that, even from the statement of those gentlemen themselves, the measure now proposed, and those which might naturally be engrafted upon it, was the best that could be adopted under the present circumstances, even for raising a force for general service. If then we had two objects to obtain, the first of which was to ensure our safety; and secondly, that of being strong and active for offensive warfare: if there was but one way of attaining the first object, viz. that of taking a large force for limited service, and if that could be shewn to be the best mode of collecting a large offensive force, he should desire to know what more could be necessary to recommend the principle of the measure now before the House? The House was not called upon to adopt it in all its details, the question was, whether they approved so much of the outline as to go into a committee upon it. He contended, that unless you meant to begin with a proposition, which appeared preposterous; unless they agreed with his Rt. Hon. Friend (Mr.

Windham), that we ought to have no militia at all. He admitted, indeed, that his Rt. Hon. Friend seemed to indicate that such was not his opinion; but he was excusable in supposing such were the sentiments of his Rt. Hon. Friend, when even his Hon. Friend (Mr. Elliot) who not only had the pleasure of hearing his speeches in public, but had the advantage of knowing his sentiments in private, seemed to think there was a shade of difference of opinion between them. But if the House were to agree with those Hon. Gent. either that we were to have no militia at all, or only a militia of 30,000 men; if we were now to disband our large militia eſtablishment, he begged leave to ask, if gentlemen were aware what might happen to us in the three or four months which we should take to turn our militia into a regular army, unless we were to adopt the very syſtem which was now proposed. There must certainly subsist a certain degree of competition between the militia and the army, and the eſtablishment of a large militia force muſt necessarily obſtruct the recruiting for the army: this was a proposition which he was ready to admit; but this could not have escaped those by whom the militia was firſt eſtablished, and those by whom the various laws respecting the militia had since been proposed during a period of more than 40 years. It was said, that the eſtablishment of a militia was incompatible with our being a military country, and with our possessing the means of offensive operations. But before the House acquiesced in these propositions, he begged them to recollect when it was that the militia syſtem was introduced, and to see whether it was then such an impediment to the recruiting of the army: whether it did then so effectually damp the military spirit of the country? It was introduced at a period to which we should be referred (with the exception only of the glorious wars of Marlborough) at that period of our hiſtory, in which we had embarked the deepeſt in continental connexion, in which our army was pushed to its utmoſt extent, and when the general syſtem of this country bore more a character of vigorous and offensive warfare than it had ever done. He was therefore not a little surprised when he heard it gravely asserted that the exiſtence of a large militia force was incompatible with the exiſtence of a large military force, and deſtructive to the military spirit of the country. But it was admitted, even by those gentlemen, that this was a question of degree, and it was ſtated by his Rt. Hon. Friend (Mr. Windham) that all species of the force of this country were good in their different degrees. Now if it was admitted that the militia, to the extent of 30,000 men was good in its kind, and if that force was considered as necessary forty years ago, those Hon. Gent. would admit that under the present circumſtances, a larger force of every kind was necessary, and if we wanted 30,000 for the militia then, we wanted a much larger force now. It muſt be obvious to every man who considered the events which had occurred for the laſt few years in Europe, that the necessity for a defensive force was augmented in a much larger proportion than our necessity for an offensive force, because it could not be imagined that the force which we should want to carry on the war abroad, would be equal to that which we should want for the purpose of defence at home. The part in which the pressure had moſt increased was for the purposes of defence, not excluding at the same time the means of offence. He should therefore think that it was no objection to this measure, that it left us the means of offence equal to those possessed by our anceſtors. He was ſtill ready to admit, that if we could procure, with equal facility and promptitude, a large force for general service, it certainly would be more desirable than a force for limited service. He admitted that a force that had seen a great deal of service abroad, where the officers had obtained skill by long service, and where the troops had been sharers in the labour and glories of the officers, where they had obtained that which no general rules of discipline could inculcate, and which could be learnt in no other school, he admitted, that such a force would be the beſt, both for the purposes of offence and defence. But if the plan which had been suggeſted was adopted, if you were to ballot men for general service, did gentlemen suppose that in balloting for men you could also ballot for skill and experience; if you took men from the loom and the plough, was it to be imagined that the mere circumſtance of their going into the regulars would at once convert them into experienced and disciplined soldiers? If you were now to ballot for men for general service, did any man suppose that in the course of this year they would be more expert, more disciplined, or more fit to meet the troops of Buonaparté than they would be if raised under the plan now proposed for limited service? If indeed Buonaparté could be prevailed upon to enter into a kind of cartel with you, not to attack you at home until your new levies had acquired experience and discipline abroad, he admitted the suggeſtions of the Hon. Gent. ought to be attended to, but as that was not likely to be the case, he thought the present plan was the moſt eligible that could be devised. If there were not means attached to this bill for making the force now proposed to be raised auxiliary to the general army, it would be an objection in his mind, and he was of opinion that an affirmative clause ought to be introduced into the bill upon that subject.—Unless it was determined to deſtroy the militia altogether, there muſt be a competition not only of men but of bounties. If this force was once raised, and if 15,000 men were wanted for the army by the end of this year, would any man doubt, after the experience they had had of the militia last war, that there would be any difficulty in obtaining them voluntarily? The men who served in the militia would have no inducement to enter into the regulars, but that feeling which belonged to them in common with every other good subject: they had besides strong feelings to attach them to their own regiments, and he knew that the officers of the militia felt a great reluctance that their men should enlist in the regulars. His opinion therefore of the resources that were to be obtained from this new force for the regulars, was not a matter of conjecture, but of certainty, from the experience we had already had upon the subject. Having said so much on the general outline of this measure, he would glance at a point which had been stated on a former occasion; he meant that of the power to recruit from any corps raised for a definite purpose, which might, if carried to a great extent, render it useless, by undermining its discipline: that was an observation which might be very true, and would have great force, if the re-

cruiting was allowed to be carried on at all times, and indiscriminately by all parties and descriptions, and more particularly so if that flagitious system, known under the name of Crimping, was to go on; but all these objections, or at least most of them, would be done away, if we recruited on given days of muster, in which a regiment was called over, and then some were immediately allowed to declare themselves for general service; in that way we might have twice or three times more than we wanted; and it should be left to the officers who should have the privilege of doing so, and then, he had no doubt but the result would be such as he had stated. He saw no necessity of stating long beforehand, the time when this recruiting was to take place; it should be left to his Majesty to declare the time and places where it should take place, a fortnight beforehand, and it might be provided that no more than a given number should be taken within the year. By this no soldier would know when he would be taken from his officer, under whose command he was serving, so that he would have all the inducements of his profession to be steady in the discharge of his duty. By these means he thought that the objection to recruiting from one corps into another, on the score of the bad effect it had upon discipline, would be obviated. He thought this observation grew out of the proposition he had stated upon this subject, and that it was a more ready mode, and would be more effectual in its execution for recruiting for the general service, than that which his right hon. friend would build on the destruction of the Militia. He thought the matter of bounty which would attend this, comparatively of less consequence. He did not mean to say it was no burthen on the country, and he thought the Bill should be framed as well as it could to keep down the price of substitutes; but as to recruiting the army, he wished to see that effected by moderate bounties. At the same time, as he stated on a former occasion, if it should appear doubtful whether any charge imposed by way of commutation would be sufficient to ensure a production of efficient service, that was to say, the certainty of a substitute for the person drawn, some other measure than a commutation should be resorted to; and to speak plainly, he had great doubt whether the system of pecuniary compensation for non-service should be adopted at all: whether any sum of money whatever should be taken instead of service, either by the person on whom the lot fell, or by his substitute; but on the contrary, that every man drawn shall either serve personally, or provide a substitute. At the same time, he should wish to avoid as much measures that might be thought unnecessarily strong, but to decline nothing that was really necessary, and with this sentiment he thought we should follow the principle of the Militia Law, and he would add, that a great part of the merit of the present plan consisted in its simplicity; it was that of raising a number of men out of the community for the purpose of defending it, and doing that in a way that was known to that community, and to which they had on no former occasion objected; and also raising officers to instruct and command them in a way that had been partly tried and approved of, because indeed, the body when raised could not be otherwise officered. He thought it desirable that we should adopt this measure without any hesitation; neither could it be objected to on the score of novelty, for novelty in principle it had none, either in the manner of raising the men, or in the burthen to be cast upon the country in consequence of it; and he thought highly indeed on the advantages it would produce to the country. If, however, it should be deemed prudent to admit of a pecuniary penalty for non-service, or of providing a substitute, it should be under some modifications. He did not hesitate to declare that he should prefer a positive enactment that every person ballotted should either personally serve or provide a substitute; but if it should be deemed expedient to allow a pecuniary compensation to be given instead of either, he should propose some alteration in the present plan in that particular. He should propose, that if a person ballotted neither offered to serve in person, nor produced a substitute, that then the pecuniary compensation should be equal to the rank, order, and degree in life of the person ballotted. He knew it might be said this was only raising a revenue, and that it was not money but men we wanted; he admitted the truth of that observation, but it was open to this answer, that if £20 were the penalty, the mass of society would think it enough for each individual, and many of them would on that sum either serve or provide a substitute, and so the object of the Bill, would, with regard to the mass of the public, be answered; for it was out of them, after all, our army must be made up, and their failing to produce a substitute would compel them to serve, and this would be evidence of the difficulty of commuting service for a small sum. But the sum of £20 would be nothing to persons of high condition: would answer no purpose, but be the very thing they would want; they would pay the sum cheerfully, and they would not in the least degree interest themselves in procuring men for the service; the sum therefore which they should be called upon to contribute, should bear a proportion to the rank and station of the party ballotted, so as to make it his interest to use his influence, to procure a substitute. The advantage of this distinction would be, that every man of fortune who should happen to be ballotted, was turned into a sort of recruiting officer in the service to save his purse, but if the sum was moderate, he would sooner pay it than to give himself any trouble. Undoubtedly, then, if the sum was moderate, it would not answer the purpose which all of us had in view, the raising speedily a large body of men. The sum should be such, then, as to quicken the industry of persons of the higher rank to procure men. He begged pardon for thus detaining the House upon these points, because they were more fit for a committee, but that he wished most of all to press upon the House, was that we were all agreed in the necessity of augmenting our force. He believed the House was very generally ready to adopt the plan of his right hon. friend (the Secretary at War,) and also to adopt the sentiment of his right hon. friend (Mr. Windham), which was, that we ought to make use of all the means in our power to increase our force for general service; and also that we should raise still more temporary force for any emergency that may arise. He knew the warmth and noble ardour of his right hon. friend (Mr. Windham). He knew that no one burned more than he did with enthusiastic zeal and disinterested patriotism. He knew

there was no sacrifice either in fortune or in person, which he was not perfectly ready to make for the service of his country, either to preserve its rights at home, or to vindicate its glory abroad, in any way that might be deemed most useful, perhaps to retrieve the lost character of a great part of Europe, if it should be disposed at any time to change its present desperate situation. Those powers, if they were not lost to all sense of their situation, would find an opportunity of recovering their honour. But he trusted, that no zeal on that account, upon objects which were at present out of our reach, would induce his right hon. friend to obstruct a measure which was calculated for our immediate defence. He knew the feelings of his right hon. friend to be as much alive as those of any human being for the true interests of his country; and if he still opposed this measure, it must be because he still remained unconvinced that the bill would have the effect which was expected from it. He should, indeed, be sorry to differ from his right hon. friend, upon this most important measure, intended for the safety of the state, yet he had this consolation, that however widely his right hon. friend and himself differed in their votes upon the present measure, yet they agreed exactly in their sentiments.

Mr. WINDHAM proceeded to consider the different points which had been stated in support of the bill now before the House. He said that if he remained still unconvinced of the propriety of this measure, it was not owing to the want of clearness of the statement of his right hon. friend (Mr. Pitt) in the support of it. There was in addition to the advantage which the measure itself received from the abilities of his right hon. friend another advantage, and that was an advantage to the opponents of the bill, for he had stated the subject so clearly that those who differed from him had their way cleared before them and their labour shortened, since he had brought into one view every point that had a bearing upon the subject.—There were two leading points to be considered upon this occasion: What were the best means for our defence, and what were the best means of prosecuting the war with vigour? His right hon. friend had misconceived his idea of the present case; that while we were looking forward towards our safety, he was considering other objects that were at a distance. It was with him, he hoped, as it was with all prudent men in the consideration of human affairs. His right hon. friend had said, that that which is most interesting to us at the present moment, is the safety of the country: Now, there was no doubt, that if those two objects, namely, the safety of this country, and the vigorous prosecution of the war in the way he recommanded it, by increasing our disposable military force could not be reconciled, which of the two objects should be preferred? The safety of the country was undoubtedly the first object, for, if we failed in that, there was an end of all consideration on our part of the question, of restoring Europe by any means to be adopted by us; if the necessity on our part was so great as had been stated, we might lay every thing else out of our consideration. But he would take up the question simply, of how far this measure was calculated for our immediate defence? The first point was, what effect this measure might have on the future recruiting service of the army? He was not sanguine enough to expect that the recruiting of the army would go on with much celerity at any time under our military system; certainly less now, since the great bounties had been given; the very memory of such large bounties, even if they could be discontinued, would considerably impede the recruiting of the army, for men would be slow to enlist for less than others had been accustomed to receive. He did not deny that the present measure would procure more men in a short period at the present moment than could be procured in any other way; but here he came to a consideration which had hitherto been a great deal too much neglected. He thought that the error of ministers was, that of neglecting that which he had followed upon this occasion, namely, that of entire attention to the opinions of military men. A military man knew very well the difference between that which was important and that which was unimportant in military matters; between a regiment which had been long and one that had been newly raised, composed of good or of bad men; but a minister in the House of Commons knew nothing of any such difference; with him a regiment was a regiment, and that was all he knew of the matter; and this was the case with almost every body who talked upon the subject in that House. But he could not help considering the nature of the force, and he was afraid his right hon. friend suffered himself to be deceived when he talked of the speedy progress which this system will make. As to providing officers for this body of men when raised, the first ressource we had was the half-pay list; now, without disparaging the half-pay list, and feeling as he did from what had been said already by way of comment on his former speech, the necessity of caution in what he said, yet in speaking of the half-pay list it must be considered that we could not get from that list, officers of the same description as those who were in actual service, although no man would deny there were in that list many very excellent officers, many, indeed, who were upon that list only because their regiments were reduced: some of them also were upon the list because they had been wounded, but they were not all the better or the most fit for service on that account. Many of them had been put upon that list on account of declining health; they were not to be considered as the most fit for service either. Many had been put upon that list because it was not deemed proper they should continue active in the service. He hoped they were good officers, but yet these were considerations not to be disregarded, and we should not certainly expect from this list as much exertion, as if the same number of officers were taken from the actual service; nor was there a comparison to be made between the progress they would make, and an equal number of officers in actual service, and therefore he could not help doubting the efficacy of this source of providing officers for this force, when raised. He thought the measure now proposed would not answer the purpose for which it was intended, and instead of it he wished to see the troops of the line increased. But it was said, that the urgency and pressing nature of the case demanded measures of expedition. Now, what

were our ideas on this subject? If he could be assured that the ateempt on this island would be delayed for a time to suit our convenience, and until we had sufficiently increased our force, and made it fit for action, this measure would do well; but as we had no security for that, he thought we had better increase our army; and for that purpose he was of opinion that we should have recourse to compulsive measure; nor was he alarmed at the present crisis, leſt such measures, provided they were not accompanied by unnecessary harshness or severity, would be objected to as unconſtitutional. He said this without any difficulty, because he did think, after much deliberation, that this was the only way to provide effectually for our safety; nor were we to talk too much of the sacrifice which we were to make. Upon this danger, againſt which we were now talking of providing, what were we to say if it came upon us, as it might come upon us, within two months, when our bill was hardly paſt? He was not speaking with any view of alarming miniſters, but he wished it to be remembered, that the bill now before the House would take some time in passing; and after passing he would ask, how long it would be before we got the men? and after we had got the men, he would ask how long would it be before they were fit for service? If we had the invasion at all, we might have it in the middle of our ballot; and he would ask what the House would think of a mass so full of defects as a military body as this muſt be at its firſt assemblingr full as it muſt be from the nature of things, of discontent and sourness, incapable of military movements, and totally unfit for efficient military service; and discontented as they naturally would be, on leaving their houses and families. What sort of an army of reserve was this to be for our protection in the hour of peril? Suppose our other army should meet a check, was our laſt ſtake to be truſted to this army of reserve? The defeat of a regular army did not prevent it from operating again, for they knew how to rally, but a defeat of an irregular mass put an end to its operations; it was sure to be thrown into confusion, and to become useless after a defeat. He thought it a bad policy in us to put our laſt ſtake upon such an irregular force as this, by which one defeat might be our ruin. He objected to it, because people might truſt too much to it, and might say they had provided a security againſt all danger, by providing this mass, whereas the people ought to depend upon themselves. He thought that a smaller number of regular troops would be better than this mass. He recommended to us to imitate the conduct of the Vendeans, who although weak in themselves, yet by military skill and prudence, held out for years, nor did they give up at all, until the greateſt part of Europe had given up. He did not, with some persons, think, that, let what would be the consequence, we ought to risk our all in a battle to save London. Those persons seemed to think, that, if London were taken, the country would instantly be subjugated; but, he truſted, that while we had an army, we should dispute the last inch of the land. He saw in this plan so many objections, that he knew not how to state them within a tolerable compass. He had asked how long it would be before we could get these 50,000 men, and when they were got, how long we should be before they were trained. He might ask how long we should be before we cloathed them? How long would it be before we had breeched our army of reserve? He was afraid that we migt have to encounter the danger againſt which they were intended to provide long before they would be fit for service; and if they were employed in active service too soon, they might do more mischief than good. Having juſtified his former language upon this subject, and disclaiming any intention of offending the militia by it, he concluded with observing, that he perceived the general opinion of the House appeared to be in favour of the measure now before the House, but he had thought it his duty to ſtate his sentiments. He had great reliance on the militia which had been well trained, but he denied that such an assertion was inconsiſtent with the opinion which he had given of ths army of reserve. He objected to this syſtem because it interfered with the recruiting service, and also because he was aware that this body would be inadequate to the end for which it was designed, that of an efficient and immediate military force; he was sure that great discontent would arise in the body on firſt assembling, and that they would be much too deficient in military skill to juſtify the hopes which were entertained of them. These were the grounds on which he differed from his right hon. friend; at the same time, if this measure was successful in Parliament, he shonld do every thing in his power to render it efficient; for he felt as others did for the safety of the country, and only differed from them as to the means of preserving it.

LORD CASTLEREAGH said he wished the present subject to meet the fulleſt discussion. He admitted, with his right hon. friend, that the object of the enemy was the subjugation of this country, but he differed with him as to the means which they possessed of effecting that object. He could not however conceive why the right hon. gent. should think it necessary to discuss whether London was a primary or secondary object of consideration, nothing but a degree of baseness or cowardice in the people of this country, which he could not for a moment suppose, would suffer the enemy to advance far from the shore. The right hon. gent. had gone into one extreme with respect to relying upon the efficiency of regular troops, almoſt to the exclusion of all other; and had then gone into another extreme, and contended for the advantages resulting from irregular troops, inſtancing La Vendée; ſtill the right hon. gent. had contended that the present measure went to conſtitute an efficient force. The country feel the advantages and the happiness which they enjoyed under their present conſtitution and government, and feel that it was necessary to make great efforts to defend them. The arguments of the right hon. gent. went to this alternative, that there muſt be either a much larger force maintained in time of peace, or that we muſt be much weaker at the commencement of a war. He felt the necessity of placing the counttry so completely out of danger as to put and end to all speculation on the part of the enemy as to the probable success of any attempt againſt it. With respect to the objection of this measure interfering with the recruiting for the the line, it would on the contrary assist it; those who were to be enrolled under the present bill, were to be permitted to enliſt in regiments of the line, and there was every reason to believe

that a military spirit would be infused into them which would the more readily induce them to enter into the line. His right hon. friend had said that there were many old and infirm officers on the half-pay list unfit for service, but it should be recollected that there were twenty battalions disbanded last year, whose services for a limited time, the officers, of which there was every reason to believe were effective, and, besides, it was not mandatory in his Majesty to appoint those only: besides, if new regiments were to be raised according to the proposition of his right hon. friend, they must be officered in the same way. He conceived that no measure was better calculated to produce the desired effect than the present, and that the experiment of raising troops of the line proposed by his right. hon. friend, would place the country in great danger. With respect to the recruiting service being injured, it was a fact, that during the competition between the militia and the line, more recruits were obtained for the latter than before.

Dr. LAURENCE rose to expose the unfairness of the arguments with which his right hon. friend's (Mr. Windham) speech had been combated. There was nothing, in fact, preposterous in his supposition respecting the consequences of the possessions of the capital or the dock-yards by the enemy. It was fitting to urge every topic, drawn from every possible view of danger, arising from a contest with such an enemy as we have to contend with, as an incitement to ministers to watch carefully, and be ready to repel him, whenever and wherever we meet him. In case of invasion every hill ought to be a fortress, every ditch an entrenchment, and every peasant a sharp shooter. His right hon. friend bad been accused of despairing. But what was the fact? He had said, that London taken, was not conquering the country! Was that the language of despair. or of imprudence? He had recommended making every man a warrior for his country, and exemplified its use by the Vendean war. Was that incorrect? No! By that war, he had it on good authority, more republicans fell, than by the arms of all the allies! The learned gent. then discussed, at considerable length, the nature of the different kinds of force, best suited to the circumstances of this country, in which he quoted the sentiments of Sir Walter Raleigh, and others. He had rather fight the enemy at first than wait for him too long. But this plan was sadly defective. It provided no means for the chastisement of the insolence of the foe, should he dare to invade us, and be successful enough to set his hostile foot on our shores. After driving him back with disgrace from our land, what means did this bill provide for carrying the war back upon himself, and for punishing his insolence and ambition? Why, then, you must new model your whole system, and wait the effect of new bills, and new plans of strengthening your disposable force! How long must it be after beating him from the coast of Essex or Kent, before you can chastise his guilty head for the insults he has committed on you. He has called us a nation of shopkeepers. Are we to lay like base metal, nailed to the counter, till he makes his appearance! Are we to wait for him! The learned gent. praised the minister highly for his proposals of finance, but he could not equally applaud him for his military efforts. As for the burthens on the country, he thought virtue could surely bear to be taxed as much for her own support as vice. There was, however, a radical defect in this new system of defence, from its confined operation. He did not think any thing within reason would serve as a bounty for the regulars, in consequence of this army of reserve. On the subject of the supplementary militia, a right hon. gent. (Mr. Burke), now departed from this mortal world, at the time of its proposal, expressed himself, as he always did, in terms too strong to be easily forgotten. In his last illness, when he could not raise his hand to write, he dictated the letter he should now read to the House on that subject. [The learned doctor then read the letter which will be found at page 966 of this volume].

The CHANCELLOR of the EXCHEQUER said, that the melancholy presages contained in the letter just read, which came from the pen of a gent. whom none respected more than himself, had not been fulfided by subsequent circumstances. The very measure alluded to of calling out the supplementary militia, had tended to produce the greatest advantages, from thence we had derived those exertions in Egypt by which the country had been so materially benefited. With respect to the present measure, the point of issue was this, the right hon. gent. (Mr. Windham) would forego the immediate advantage of obtaining 50,000 men for the defence of the country, from amongst whom men would be permitted to enter into the line, for the sake of the chance of procuring men to recruit the line without the adoption of this measure. Another right hon. gent. (Mr. Elliot) would even forego the advantage of the additional 60,000 militia besides the present measure, for the sake of the regular army. He thought it was scarcely necessary to reason the question, experience had shewn that when the militia was kept up, they had the advantage of the largest army, disposable for foreign service, ever before known, and that the militia system did not interfere with the recruiting service for the regular army; but on the countrary, he felt that they could not do such a violence to the public feeling as to enact a conscription for the troops of the line, as to force persons to enlist in regiments which might be sent to any part of the world; such a measure would be contrary to the spirit of the constitution, and could tend to produce those discontents, which it was said by some, would arise from the present measure. Ministers had been charged with a criminal remissness, but he contended, that the facts proved that they had done all they could for the public service. He was convinced that there was

no chance of permanent or secure peace until they shewed that every attempt of the enemy against this country must be fruitless, and that they would not own their safety to the forbearance of any power whatever.

HOUSE OF COMMONS.

Monday, June 27.—(*Min.* 975.)

[ARMY OF RESERVE.]—THE SECRETARY AT WAR wished that the bill might be re-committed, in order to divide it into two: the one as it regarded England and Ireland; the other as it regarded Scotland. This division would be commodious, and would facilitate the execution of the measure.—He next requested the committee would permit him to go through the bill, and point out the amendments which it was thought advisable to make. If he should not enter into a minute explanation of all, it was because they were not of so much importance as to call for such an explanation. He should now begin with the clause which prescribed the quotas to be furnished by the different counties.—The quotas for Scotland being stated it would be necessary to leave out that clause. The number which each county was to furnish varied from the regulations contained in the militia act of last session upon that subject; because government was now in possession of the latest returns of the numbers of men liable to serve. By these returns it appeared that the number of men liable to serve in the militia for Great Britain, amounted to 900,000 men; of that number about 750,000 were liable to serve for England and Wales. The quota of the counties had been assigned in consequence of these returns, which furnished the most correct means of apportioning the number of men. They had also received some information from the returns under the Population Act. Upon the fullest examination which it had been possible to give to this subject, it appeared that 80 or 84 men out of every 10,000, of the general population, would furnish the 40,000 men to be raised by Great Britain. This was taken at a medium, but in no case was there taken above 16 more than the 84, nor in any case more than 16 less than the 84. As far, therefore, as England and Wales was concerned, he hoped the quota to be furnished by each county was correctly apportioned; he knew of no means that could be had recourse to, that were so likely to produce an equal apportionment. With regard to Scotland, the quota had been regulated upon precisely the same principle. He understood, however, that some objections might be made on the part of Scotland, to this part of the plan. It might therefore, be better to ressort to the numbers which Scotland was to furnish under the Militia Act. When the bill respecting Scotland came into the committee, it would be time enough to consider that part of the subject. At all events, the whole number to be furnished by Scotland was 6000 men.—The bill, as originally framed, proceeded upon the principle of the Militia Bill, and extended only to persons of from 18 to 45. The basis of the militia system being personal service, that regulation might be proper; but on this occasion it would be worth while to consider whether the burthen might not be in some degree alleviated by extending that provision. It would be necessary then to look to persons above the age of 45, who were possessed of competent property. It would therefore be proposed that persons between 16 and 45, if of a proper height, &c. should be liable to serve personally or by substitute, and that persons above 45, and being possessed of sufficient property, should, if drawn, be obliged to find a substitute. The criterion he should propose would be, that those persons above 45, who paid 30l. and upwards to the assessed taxes, should, if balloted for, be bound to provide a substitute.—The outline of the plan of exemptions was nearly the same as in the Supplementary Militia. He should propose to take the 22d of June, the day on which the bill was introduced, as the day beyond which some of the exemptions were not to extend — such as articled clerks, teachers of licensed congregations, volunteers, &c. Another class of exemptions was the yeomanry and volunteer corps. He proposed to strike out the proviso which related to them, and to introduce a clause stating that the exemption should extend to all volunteer corps whose services had been accepted previous to the 22d June, and whose services were co-extensive with the military district in which they were situated. In cases of large cities and towns, such as London, Bristol, Edinburgh, Liverpool, Glasgow, York, Leeds, Manchester, and Birmingham, he should propose to exempt the volunteers of those places, provided they consented to do garrison duty. It would, for many purposes, be necessary to have troops in those places, and if the volunteers would offer their services for that service, he thought they were entitled to exemption. He should also propose, that they should be bound to attend muster and exercise, a certain number of days in the year. By the last act, which was made with a view to a peace establishment, the number was fixed at five days in the year, but that would not be enough in time of war, he should therefore propose that they attend at least two days in the month. —It was proposed that no substitute should be taken who had more than three children.—Upon this subject it might not be improper to refer to the regulations respecting the Supplementary Militia. In that act there was no reference whatever to the number of children of the substitute. He felt it his duty to adopt the same principle in this measure, and also that the families of the substitutes should be provided for by the parishes, as in the case of the militia; and that the parishes should be re-imbursed by the receiver general, out of the public money.—The next clause which related to the fine which was to be paid by those who did not serve or provide a substitute, he should leave out, for the purpose of introducing one founded upon a suggestion of his right honorable friend (Mr. Pitt). By the militia laws every person who was balloted, and who did not appear or find a substitute, was fined in the sum of ten pounds. In the case of the Supplementary Militia, it was raised to fifteen pounds. He saw no objection to the introduction of a similar principle into this bill. But it appeared reasonable, that persons who were in very different situations with regard to property, should not be fined exactly in the same sum. He therefore proposed, that in the case of persons between 16 and 45, who did not provide substitutes or serve, that they should pay a fine of 20l.; that fine was to be paid to the parish, who would be called upon, at all events, to make up its quota. The parish were to be authorised to lay out as much of that money, in providing a substitute, as was necessary, and the surplus was to go in aid of the poor-rate. In addition to the fine, he should propose that a sum of 5l. should be paid for every 10l. which such person paid to the assessed taxes, until it amounted to 100l. That additional fine was to be paid to the receiver-general, to be applied to the recruiting service of the army. As it was an objet to encourage the raising of volunteers, he had proposed that when the volunteers

amounted to two-thirds of the number to be raised, a power was given to suspend the ballot; this plan had been tried upon a former occasion, and with success, and he hoped it might now be adopted with advantage. The next clause was that which allowed, that half the sum paid to volunteers should be given to such persons as chose to serve for themselves. This was the principle of the militia act, but he would propose, that the person who chose to serve for himself should not only have half the sum allowed to volunteers, but that he should also receive the sum of two guineas, instead of one guinea, which he would be entitled to when he joined his corps. He now came to those provisions of the act by which the King was empowered to model this army, and to appoint the officers. No officer was to command any of these battalions who was not a colonel or a lieutenant-colonel; he meant effective colonels, who go and take the command of their regiment, and not generals. As to the field and subaltern officers, they were to be taken from the half pay, and from those officers who might have quitted the army for family reasons, and for other considerations. It was intended to propose a clause to enable the colonel to discharge, from time to time, such of the men as might be inclined to volunteer into the line, under such regulations as the King might think proper. The regiments were to be formed as much as possible from the same counties. Where the number of men furnished by a county was too small, those of two neighbouring counties were to be joined together. An honorable gentleman had upon a former occasion expressed his apprehension that they would not be able to procure non-commissioned officers: this certainly might be urged upon the raising of any new raised corps. If these men were raised for the regulars, they could not all be absorbed into the line, and then there would be the same want of non-commissioned officers. But this difficulty would not be so great as was apprehended. At the beginning of the last war, a very large army was raised, and had been very well provided with non-commissioned officers. We had now very considerable resources; in the first place there were many serjeants who belonged to regiments raised last war for limited service; in the next place the recruiting staff of the army would furnish many very valuable non-commissioned officers, and many might also be procured from the regiments of the line in England, particularly if the new raised regiments should be considered as battalions of reserve to the regiments of the line, wearing the same facing, &c. There was one point which he wished to be most distinctly understood, which was, that no man was to be taken out of this army upon any pretence whatever unless with his own consent.—It was necessary for him to observe, that it was intended to propose regulations respecting the Cinque Ports, the City of London, and the Tower Hamlets. The Cinque Ports it was intended should raise 400 men. With regard to the City of London, with every regard to their privileges, they had been called upon on former occasions by act of parliament to provide men for the public service. He hoped on the report to be able to present a clause upon this point, and he trusted the magistrates of that city would lend their assistance upon the occasion.

In reply to some observations made by Mr. PITT, respecting the number fixed for the Cinque Ports, the SECRETARY at WAR said, it was his intention to leave out the clause alluded to, and to introduce another relative to the Cinque Ports. He proposed that the number of men to be raised by the counties, should be 32,000, and by the city of London, the Tower Hamlets, and the Cinque Ports, 2000 more. The city of London and the Tower Hamlets, they had pretty good means of ascertaining the numbers, and he hoped that 400 men would not be thought to many for the Cinque Ports.—He afterwards moved, that the number of men to be furnished by the city of London should be 800, and by the Cinque Ports 400.

After some conversation between ALDERMAN COOMBE, the LORD MAYOR of LONDON and the SECRETARY at WAR, it was agreed that the clause respecting the city of London should be suspended.

In answer to a question made by Mr. W. SMITH, concerning the reasons why the age was taken at 16, instead of 18; and why women who possessed large fortunes were not compelled to find a substitute.—The SECRETARY at WAR said, he had omitted to state the reason why he took from the age of 16 rather than 18. It was, however, that by the old law of England, all persons from 16 to 60 were bound to stand forward in defence of the country when called upon by the Sheriff, and he saw no reason why the same principles should not be adopted in this case. As to the second proposition he knew no instance in which women had been called upon to provide substitutes, except in the case of the provisional cavalry, and there it was attended with such inconveniences, that he thought it was a sufficient reason for not introducing it into this bill. If the committee approved of it, he should propose to include all persons between 16 and 60, but that those between 45 and 60 should not be called upon to serve personnally, but should be called upon to provide a substitute.

After some debate, the SECRETARY at WAR said, that he had intended to propose the age to be between 16 and 45, liable to personal service, or to find a substitute, and then from the age of 45 to 50, liable in like manner, provided the person was assessed 30l. a year for the assessed taxes; but now here collected that the committee wished the age should be from 18 to 45, and then from the age of 45 to 50, in case the assessed taxes of the persons were what he had stated them to be; but it was indifferent to him as to the ages betwen 45 and 50, provided the bill was carried with speed, and the number he had stated raised. He had thought that the age between 45 and 50 might be taken in upon the present occasion, but there might be another measure by which they might be called upon for service, or for substitutes, as he had already stated. As to the list, he had a clause in his hand to regulate the mode of making new lists, in cases where that would be necessary.

The CHANCELOR of the EXCHEQUER observed, that from the experience of the last war, we were justified in expecting that the country could furnish a much larger number than was here proposed. We might look to the list with increased confidence for producing this number by ballot, because a greater number of volunteers were then raised, who were entitled to exemption, than were now in that situation. These volunteers limited the number to be balloted in the last war. Such of them as had not been accepted would not now have that exemption, and therefore the number of those who were liable to be balloted under this bill would be proportionably increased; but, however, power might be given in particular cases to amend the list, in the event of some district not being able to furnish its number. But what he chiefly wished to impress on the consideration of the committee was, that from the ballot

from the age of 18 to 45, there was not a larger number called forth, or very little larger, under this bill, than had been balloted for the militia in the course of the last war, when the number of exemptions was greater, on account of volunteers, than at present; and besides this, there were a much greater number then in our army and navy than there are at present; so that, upon the whole matter, the risk of being drawn now was much less than it was at one period of the last war.

After it was determined by the committee that the old list for balloting should be abided by.—The SECRETARY at WAR said, he was persuaded, upon reconsideration, that his proposed amendments, as to the age and as to the alteration of the list, were rightly rejected for the reasons already given.

A conversation was carried on for a considerable time, which ended in exempting the clergy of the established church, and preachers who had held a licence to preach at one place for 12 months before the 22d of June instant. This was adopted in conformity to precedent.—On the subject of the exemptions of the volunteer corps, the SECRETARY at WAR proposed also to follow the precedent of the year 1796; that none should be exempted from this levy whose services had not been received on or before the 22d of this month, which produced a long conversation.

The CHANCELLOR of the EXCHEQUER observed, that it had not been deemed expedient for government to determine what volunteer service would be accepted until the sense of Parliament shall have been expressed upon the present levy.

It was proposed that the day should be altered from the 22d to the 6th of this month, for that it was observable that since the apprehension of this new levy, the volunteer corps had been greatly crowded; and it was generally expressed as an expectation that no volunteer corps shall be exempted unless some equivalent shall be given for the exemption, such, for instance, as security for continuance in the service, because otherwise persons might inrol themselves in a volunteer corps until after the ballot was over, and then discontinue such volunteer service. It was then agreed, that the exemption of the volunteer corps should take place only with respect to those whose services were accepted on or before the 22d of this month.

On Clause 13th.—COLONEL CRAWFORD suggested that the men balloted ought to be enroled to serve his Majesty in any regiment, his Majesty chose to appoint for that purpose. If the French landed, we must have an army of old and regular troops to oppose them, or otherwise they might gain possession of London, by which the country would be placed in a desperate situation. A great number of vessels were in a state of preparation in the ports of Holland, which were manned with as good pilots as the Trinity-House could afford, and the French had the means of transporting 100,000 men to this country. He could not conceive what difference it could make if the men balloted for were placed in any regiment of the line, provided the service of such regiment was limited to Great Britain and Ireland, Guernsey and Jersey.

THE SECRETARY AT WAR said, a power was to be given to his Majesty to place the men raised under this act, in such regiments as his Majesty should think fit, provided such regiments should serve only in Great Britain and Ireland, Guernsey, and Jersey. The men raised under this act were not to be compelled to serve in any regiment enlisted for general service, but it was at their option to enlist for general service, if they chose.

Mr. MACNAGHTEN said, he could not sit silent and hear it insinuated that if the French could gain possession of London, that the country was lost. What if they did possess themselves of London, they dit not by that means obtain possession of our iron and steel, or of the hearts of his Majesty's subjects. He hoped that we should never make peace until the French had tried the experiment of invasion; at present they held it *in terrorem* over us; let them try it, and if they did get to our coast, they would receive such a lesson that they would never come again.

Mr. WINDHAM said, that a great clamour had been raised against him a few days since, because he had ventvred to hint at the possibility of the French obtaining possession of London: he was happy now to hear something in confirmation of that from the honorable officer who had lately spoken (Colonel Crawford), and from the honorable gentleman who just sat down, whose sentiments, so similar to his own, had now met with approbation. If the thing was possible, it ought to be provided against. He was glad to see them roused to a sense of their danger, which seemed to have been wanting. This measure, tardily brought forward, was not an answer to what he had urged; he could not see that spirit in the country which was talked of; he rather considered that there was a sort of apathy, which perhaps was in a great measure to be attributed to the want of confidence in ministers.

THE CHANCELLOR OF THE EXCHEQUER said, the right honorable gentleman (Mr. Windham) had, after giving symptoms of that apathy which he imputed to the country, appeared to be roused by the sentiments uttered by the honorable gentleman (Mr. Macnaghten), and had now discovored a similarity of sentiment; but the language of the honorable gentleman was that of animation, whilst that of the right honorable gentleman tended to despondency and dismay. He gave the right honorable gentleman every credit for the warmth of his heart, and he was convinced that the right honorable gentleman would make every sacrifice for the good of his country; but still he could not help thinking that the language of the right honorable gentleman tended to feed and pamper the mind of one who was already too presuming, that of the Chief Consul of France. When the right honorable gentleman talked of the present situation of the country, he would ask, if when that right honorable gentleman formed a part of the administration, he did not then think that the measures pursued were inadequate to the danger of the country?—With respect to what had been said by the hon. officer (Col. Crawford) his right hon. friend had not said that the persons balloted were to be compelled to enter into the regiments of the line, but there was nothing to prevent them from entering into these regiments. It had been said, that the French had the means of sending out a large force—but were they therefore to take it for granted that the metropolis was in imminent danger? Was there not a chance that the armaments of the enemy would be prevented from reaching our coasts, by the exertions of our navy; and if they did reach our coast, was it too sanguine to suppose that by means of the large force we possessed, that the attempt would be rendered abortive, and be turned to the shame and disgrace of the invaders? All the regiments destined for the coast, would be at their respective destinations, in the course of the present week. Under the present circumstances of the country, he should hold himself criminal, if any thing was left to chance

or accident : he did not attempt to under-rate the danger, but he was surely justified in placing a confidence in those great means of defence, with which we were now provided, and which were greater than at any former period.

A long conversation ensued in the course of which various amendments were suggested and adopted, and several new clauses introduced by THE SECRETARY AT WAR.

HOUSE OF COMMONS.

Tuesday, June 28. (Min. p. 975.)

[CAPT. COCHRANE'S MEMORIAL.—The CHANCELLOR of the EXCHEQUER said that he gave notice yesterday, that it was his intention to move that the order made by the House yesterday for laying before the House a memorial presented by an hon. member of the House now in his place (the hon. capt. Cochrane), and other papers to the lords commissioners of the Admiralty, in Jan. 1799, on the subject of appeals in prize causes, &c. be discharged. In the ordinary course of practice, it was to have been expected that no motion of importance would have been made without notice, in order that the parties most immediately concerned might prepare for its discussion; and on referring to the order book he found that no notice had been given of this motion. It was true that the hon. gent. had previously communicated the intention to him, but the House was not apprized of it. The hon. member had inferred from his silence that he had no objection to the motion, and as it was not opposed, the motion was carried; but the truth was, that he had an objection to the motion. The objection was, that no parliamentary ground was laid before the House for assenting to the production of these documents. He did not understand that any such ground was laid for the motion, and as the effect of complying with it would be to cast an imputation on the conduct of the Board of Admiralty, and on the conduct of the the executive government at that time, for all the government was in some measure included in the complaints of that memorial; and that being done without any foundation or parliamentary ground for inquiry, and three great law officers of the Crown being complained of in the memorial, namely, the King's attorney-general, the King's advocate, and the King's proctor, he thought it would be improper for the House to order to be laid before it any document of this nature; he said this because he was most credibly informed, that all this complaint against these learned and hon. officers, was wholly without foundation, and the proof of that the charges were well founded ought to have been adduced by the hon. member who made the motion. Besides the imputation on the members of government, at the time of presenting the memorial, there was another cast on those who at present composed the executive government; and it would appear by this memorial as if they had neglected to take proper steps on that occasion to redress the grievances which were stated in the memorial, a species of censure to which none of his Majesty's ministers could submit, because they were not conscious of deserving it. If the hon. gent. had stated that he meant to institute an inquiry afterwards into the conduct of those ministers of government of whom he complained, and had laid before the House ground of suspicion, that they had misconducted themselves; then it would have been regular for him to have made this motion, and indeed it would have been his duty to move for documents to elucidate the subject. But he had laid no parliamentary ground for the production of such documents: it was unfit that they should be laid before the House, under an allegation of misconduct, where there was not any such. If suspicion had been entertained, it was necessary that the fact should be disclosed; and he was happy to add, that if there was any thing irregular in any part of the case stated in the memorial, it had been long since corrected by his right. hon. friend, and that at this moment there was not the shadow of ground for complaint in these particulars against the Board of Admiralty. For these reasons he thought he owed it to the hon. persons alluded to in the memorial of the hon gent. as well as to his Majsty's government at large, to move that first the order for laying this memorial and papers before the House be read, and then to move that the said be discharged.

Capt. COCHRANE said, that he had a great many prize causes to be heard in the court of Admiralty, and he was dissatisfied with the manner in which they had been conducted. He complained that in all cases of prize causes the King's proctor must be employed by all the officers of the King's navy. He thought it was but just that each officer who had a prize cause should be allowed to chuse his own proctor. He said, that in many instances the partner of Mr. Heseltine, the King's proctor was often concerned for the party that was adverse to the King's officer for whom the King's proctor was concerned. He complained that these practices were highly dangerous to his interests, and to the general interests of the officers of his Majesty's navy concerned in prize causes. He complained of his interests being neglected, and of the proctor's bill being enormous, &c. He proceeded to state all the proceedings he had at the Shakspeare and other taverns, when a meeting was convened by him of a great number of officers of his Majesty's navy concerned in prize causes—which ended in a memorial, the memorial in question: and he observed, that after it was drawn, the officers most unaccountably deserted him, and left him to present his memorial alone.

Dr. LAURENCE allowed the motives of the hon. member to be pure, but maintained that the subject of his complaint was founded on an entire want of knowledge of the nature of the legal proceedings in which he had been engaged; these charges were brought forward in the absence of knowledge of the true interest of the hon. officer himself; this he undertook to aver from his own immediate and personal knowledge. He defended all the officers of doctors' commons, who had been alluded to, and assured the House they had always conducted themselves in a way that did them honour. He then went over all the charges brought forward, and said they were entirely without foundation, for that he knew professionally all the circumstances of the case. He alledged that the charges in the bill were more moderate than the same business would have been charged at 20 years ago; and as to every officer being allowed to employ his own proctor, in prize causes, it must be observed, that such proceeding would interfere with the prerogative of the Crown—a prerogative of great value to his majesty's subjects, since the management of matters of prizes were often intimately connected with

the affairs of foreign nations, and the queſtion of peace or war.

Sir W. SCOTT defended the gentlemen of the commons, and aſſured the House that the causes of the hon. member were all of them conducted as well at it was poſſible, by Mr. Heseltine the King's proctor, notwithstanding a gent. in partnership with him, had sometimes been concerned on the other side; however, that was a practice which was unseemly, and therefore he had caused it to be discontinued. He thought Capt. Cochrane misguided in this case, and he reminded him of a maxim by which it was said, that when a man becomes his own lawyer, he has not always the moſt prudent client.

HOUSE OF COMMONS.

Wednesday, June 29.—(Min. 976.)

[ARMY OF RESERVE.]—Sir W. W. WYNNE observed, that in consequence of an intimation of the wishes of government, several offers of volunteer corps have been made, upon condition of being exempt from ballots, which exemption was intended by government; and, therefore, he thought, that all the corps so *offering* before the 22d June, should be exempt from the ballot of the army of reserve.——Dr. LAURENCE supported an amendment to this effect, proposed by Sir W. W. Wynne.——Mr. ADDINGTON opposed this; observing, that the offers were so noumerous, that it was "to avoid throwing the additional burden "upon the people, that many of the offers were not "accepted."——Mr. PITT objected to the amendment, and "could not believe, that any person en- "tered into volunteer corps to save themselves from "the effect of this ballot. If the House," he said, "were to go on extending the exemptions thus, they "would greatly narrow the means of obtaining a "large regular force. He hoped that offers of vo- "lunteer service would come in, to a very great "amount; but he was sure the volunteers would be "actuated by that feeling, which must govern the "breast of every Englishman, and not by any view "to exemption."——Upon the clause for drafting the men into the regiments of the line, Col. CRAWFORD observed, that he hoped those regiments would be filled up as soon as possible; whereupon Mr. SHERIDAN said, "I object to any *question* being put to the men "thus disposed of, as to *whether they are willing, to* "*volunteer for general service.*"——Mr. PITT wished for an amendment to enable his Majesty to remove the men from one regiment to another.—Mr. SHERIDAN "repeated his objection as to any *question* being put "to the men enrolled under this act, as to *whether* "*they were willing to enlist for general service.*"—— Mr. PITT thought, on the contrary, that there ought to be fixed days of muster for the purpose of seeing who of these men were willing to volunteer for general service.

HOUSE OF COMMONS.

Thursday, June 30th—(Min. p. 976.)

[ARMY OF RESERVE.]—Upon a motion for the third reading of the bill, Mr. JOHNSTONE called upon ministers to shew whether they had not involved the country in a new war because merely for the sake of keeping possession of Malta for a certain number of years, while it had been offered by the French government to give up Malta to Russia, an offer which, if acceded to, would have placed our East India possessions, and every other intereſt connected with Malta, in as great, or even greater security than if we perſiſted in retaining it ourselves. He was, therefore, juſtifi-d in saying, that on the alternative of evacuating Malta depended, and was decided, the recommencement of hoſtilities. The hon. gent. next took a survey of the finicial ſtatements laid before the House by the Chancellor of the Exchequer, and contended, that so far from their being accurate as to the expenditure which would be incurred by the war, it would, on the contrary, be found that the expenses of the war would amount to nearly the double of what they were eſtimated at. He wished, however, that the calculations on which he founded that assertion might prove fallacious; but much he feared that such would not be the case. What then had we to expect? With all our preparations, whether for defensive or offensive war, he was sure we should not be able to make any impression upon France.—The attempt was hopeless, and the di-appointment of the country would again compel go-ernment to sue for peace. What then had we to look to but the mediation of Russia? It was in vain to expect any success from a supposed unpopularity of Buonaparté. He might be disliked by some, but the great mass of the French people muſt even, out of gratitude, be attached to him. In his opinion, therefore, attacks upon France muſt prove altogether futile.——Mr. HUTCHINSON said, that, whenever the hour of danger arrived, Ireland would be found ready and willing to lend real and cordial support to this country. If any thing like discontent prevailed there, it was comparatively as nothing, and only what was to be observed in every, even the beſt governed ſtates. The Irish people would shew themselves as loyal and united as any set of men could do, and their cordial co-operation in the day of difficulty and danger might be confidently relied upon. The only conteſt that could arise between the two countries would be, which was to ſtand foremoſt in the battle.——Mr. ARCHDALL rose to advert to the observations which the hon. gent. had thrown out respecting Ireland. There (he says) government has ind sposed one half of the people, without having conciliated the other. This was quite novel to him; not less so than seeing the hon. gent. ſtand up as the representative of the feelings and affections of Ireland. If those feelings were accurately scrutinized, the issue would moſt assuredly be found as *agreeable and welcome to the House* as the issue of a late scrutiny. There exiſted a spirit in the country fully adequate to furnish every means of that defence, and when the time came that spirit would display itself. It was to that spirit we muſt truſt, and *not to government*; for whether Parliament assented or not to the measure now proposed, *their voice would be of little avail without the concurring voice of the empire.*—— Lord de BLAQUIERE hoped that this force, when raised, would be employed in offensive operations; and asked what the late miniſter would not have effected, with a force such as is now put into the hands of government.——Col. CRAWFORD was about to deliver his sentiments upon the subject, when Mr. Yorke rose and moved for the doors to be closed, by which ſtrangers were excluded for the remainder of the sitting.

The remainder of the Parliamentary Proceedings, for this session, will be found in the Supplement to the next volume, where the PARLIAMENTARY ACCOUNTS *also, and the* LIST *of* ACTS, *for the session, will be found.*

OFFICIAL PAPERS ON SUBJECTS CONNECTED WITH THE PRELIMINARY AND DEFINITIVE TREATIES, &c.—PART II. TREATY OF AMIENS.

(*For* PART I. *see page* 1149.)

NEGOTIATIONS for a definitive and general peace, agreeably to the preliminaries, were opened at Amiens. Citizen Joseph Bonaparte was appointed plenipotentiary for France, and the Marquis Cornwallis was nominated in the same character on the part of England. The delay of the English minister in proceeding to France was calculated to excite astonishment. The First Consul, therefore, expressed, through the medium of Citizen Otto, his anxiety to see the preliminaries of the pacification immediately converted into a definitive treaty, which alone could establish the repose of the world. The Marquis Cornwallis repaired, in the first place, to Paris, where some previous conferences took place between Citizen Joseph Bonaparte and him in the beginning of Frimaire, year 10, (22d, 23d, &c. November, 1801). It was evident, from the first, that the article relative to Malta was that which would present the greatest difficulties in the treaty about to be concluded; though it appeared that nothing was necessary to be done on this point, in the definitive treaty, except to name the power to whom the guarantee of Malta should be entrusted. But the seat of the negotiation was scarcely removed to Amiens, when the British plenipotentiary began to start new questions, and to make new demands concerning Malta. He demanded, that, if there were to be a French langue in Malta, there should also be an English langue: it was agreed that there should be none for either of the two nations. He testified great anxiety respecting the future condition of Malta; and was not only desirous that the guarantee should be pointed out, but that the protection should likewise be specified to consist in the establishment of a considerable foreign garrison at Malta. To terminate these discussions, and to remove every inconvenience, the French plenipotentiary proposed that the Order of Malta should be modified with respect to its composition; that, instead of an order of knighthood, it should become, simply, an order of hospitality, conformably to its primitive institution; and, that the fortifications of Malta being demolished, that island should be converted into a great lazaretto, appropriated to the equal accommodation of all the different nations which trade in Mediterranean and the Levant. The English government would not consent to this proposition; and its refusal is recorded in the Protocol of the sitting of the 22d Nivose, year 10, in the following terms—

Amiens, 22d Nivose, Year 10, Jan. 12, 1802.—The French and British plenipotentiaries having met, Lord Cornwallis communicated to Citizen Joseph Bonaparte the answer of his government to the propositions for demolishing the fortifications of Malta; which answer is, that the said propositions being contrary to Articles IV. and XIV. cannot be adopted. After long discussions, it is agreed that the French minister shall present a plan of arrangement for the article relative to Malta. The conference is postponed until to-morrow.

Joseph Bonaparte, Cornwallis.

In the succeeding conferences, the article respecting Malta was discussed, on both sides, with an attention and minutenes which might have been expected to produce an immediate agreement: but, on the contrary, farther difficulties arose, both on this article, and on other points of the treaty to be concluded. The best manner of stating the discussions which took place on these topics, is to insert the Protocols of all the conferences of the French and English plenipotentiaries, from the 23d Nivose to the 18th Ventose.

PROTOCOL.

Amiens, 23d Nivose, Year 10, 13th Jan. 1802.—The plenipotentiaries of the French Republic and his Britannic Majesty having met, Citizen Joseph Bonaparte, agreeably to his engagements in the preceding conference, proposed a new arrangement, in which he endeavoured to meet as much as possible the 10th article of the plan for a definitive treaty of peace; presented by Lord Cornwallis. He declared that he knew no inconvenience in restoring the island of Malta to the Order of St. John of Jerusalem, under the immediate protection of the King of Naples, whose sovereignty over the said island should be formally acknowledged. As to the guarantee, he proposed to place it in all the great powers interested in the maintenance of the Order; namely, in France, England, Russia, Spain, Austria, and Prussia. With respect to the troops, he proposed (in case that those of the Order should be insufficient for garrisoning and defending the island), to make all the guaranteeing powers concur in furnishing an equal proportion. In this way each power might supply two hundred men, who should be paid by the Order, and whose officers should be appointed by the Grand Master; care being taken that the officers of each corps should be natives of the country to which that corps belonged. He also stated that France and England might concert an

an agreement with the other powers, in consequence of which all the belligerent nations should in time of war respect the independence of the island of Malta, and that it should be for each of them a lazaretto, under their common guarantee. Lord Cornwallis declared, that while he adopted part of the principles of the French government respecting Malta, he believed he should make the intentions of his court better known, by inserting in the Protocol the following articles, which he hoped would reconcile the views of the contracting parties:——The island of Malta, with its dependencies, shall be restored to the Order of St. John of Jerusalem, on the following conditions:—I. In order to secure the absolute independence of that island, it shall be put under the guarantee and protection of Great Britain, France, Austria, Russia, Spain, and Prussia. II. The ports of Malta shall be, at all times, neutral; and that neutrality shall be preserved, notwithstanding any hostilities whatsoever in which the powers above-mentioned may find themselves engaged. III. The Order of St. John of Jerusalem shall abolish the principle of a perpetual war agains the infidels. IV. In regard to the sovereignty of the crown of Sicily, the ports of Malta, of Gozo, and of Camino, shall be shut against the armed vessels, or the prizes of any of the powers of Barbary whatsoever, every time that these powers shall be at war with his Sicilian Majesty. V. The forces of his Britannic Majesty shall evacuate that island in three months, reckoning from the ratification of the present treaty; and it shall be surrendered in its present state to his Sicilian Majesty, who shall furnish the force which he shall judge necessary to form, conjointly with the Maltese troops, the garrison of the principal forts, during the space of ——— years. VI. In order to give his Sicilian Majesty the means of maintaining the said provisional garrison, his Britannic Majesty and the French Republic agree to pay, annually, in equal proportions (the payments being to be made every six months) the sum of ———. VII. After the said term of six months, the half, at least, of the garrison shall be composed of native Maltese; and for the remaining part, the Order shall have power to recruit among the natives of the countries which shall continue to possess langues in the Order. The native Maltese troops shall have Maltese officers; and the command in chief of the garrison, as well as the nomination of the officers, shall belong to the Grand Master of the Order. VIII. There shall be established a Maltese langue, which shall be maintained by the territorial revenues and the commercial duties of the island. IX. The ports of Malta shall be open to the commerce and the navigation of all nations, who shall there pay equal and moderate duties: the revenues accruing therefrom shall be applied to the maintenance of the Maltese langue, to that of the civil and military establishments of the island, and also to that of a lazaretto, which all nations may use, in case of necessity. X. The principle of perpetual hostility being abolished, the flag of the Order shall be under the protection of the above-mentioned powers. XI. The said powers shall be invited to accede to this arrangement. XII. The rights of sovereignty of the King of the Two Sicilies over the island of Malta, are formally recognized; consequently the Grand Master of the Order of Malta, or his representative, shall henceforth receive, in the name of the Order, the oath of fidelity to the crown of Sicily, which was taken at the time of the original grant, as also an oath (similar to that taken by the commissaries of the Order at that epoch) to maintain the rights and privileges of the people of Malta and Gozo, as they are specified in the present arrangement. The conference was deferred to the following day.

Cornwallis, J. Bonaparte.

PROTOCOL.

Amiens, 28th Nivose, Year 10, 18*th Jan.* 1802.—The plenipotentiaries of the French Republic and his Britannic Majesty having met, Citizen Joseph Bonaparte proposed to pursue the discussion relative to Malta. He declared that, animated with the desire of a prompt conciliation, his government would renounce a part of the articles which it had proposed, and admit several of those in the project presented by the British minister; that as to the IIId, IVth, and Xth articles, relative to the abolition of the principle of perpetual warfare against infidels, and the stipulation which (as their consequence) would open to them the ports of Malta, it conceived that those articles, though conformable to the soundest ideas, would nevertheless meet with many obstacles on the part of the states possessing Maltese langues, unless a reciprocity were established on the part of the states of Barbary. But, in the present system of hostilities, how can it be proposed to those powers to supply the Order of Malta, whose ports would offer an asylum to their enemies, and a station where the Barbary corsairs would lye in wait for the mercantile vessels as they came out of the ports of Sicily, the Adriatic, and the Levant? On the other side, is this the moment for commencing a discussion which affects so many different interests, and the solution of which could not fail to retard the conclusion of a work expected by both nations with too much impatience to permit its progress to be interrupted by accessary

objects? It seems proper to leave it to the wisdom of the two governments to choose the moment when, secure from all the existing prejudices, it will be an easier task to attempt the abolition of a system proscribed by the liberal principles which direct the two nations. The following articles may conciliate the rights and the interests of all parties. Art. I. The islands of Malta, of Gozo, and of Camino, shall be restored to the Order of St. John of Jerusalem. II. The Knights of that Order shall be invited to repair thither, as soon as the ratifications of the present treaty shall have been exchanged. They shall there assemble in a general chapter, and proceed, within the space of three months, to the election of a Grand Master, should such choice not have been made on the continent before that epoch. III. The forces of his Britannic Majesty shall evacuate the island and its dependencies within three months after the exchange of the ratifications: it shall be restored to the Order in the state in which it now is. IV. There shall be established a Maltese langue, which shall be maintained by the territorial revenues and commercial duties of the island. V. One-half of the garrison, at least, must always be composed of Maltese; for the remainder, the Order shall have power to recruit among the natives of the countries which continue to possess langues. The Maltese troops shall have Maltese officers. The chief command of the garrison, as also the nomination of the officers, shall belong to the Grand Master of the Order. VI. The island is put under the protection and guarantee of France, Great Britain, Austria, Russia, Spain, and Prussia. VII. The permanent neutrality of the Order of Malta is proclaimed. VIII. The ports of Malta shall be open to the commerce and navigation of all nations, who shall therein pay equal and moderate duties. Those duties shall be applied to the maintenance of the Maltese langue, the civil and military establishments of the island, and also to that of a general lazaretto, open to all flags. IX. The powers of Barbary are alone excepted from the dispositions of the preceding article, until they themselves shall have renounced their system of habitual hostility. In this case the contracting parties engage to preserve for them the enjoyment of the same rights in Malta with every other nation. X. The Order shall continue to be governed, both as to spiritual and temporal affairs, by the same statutes which were in force at its departure from Malta. XI. The powers whose guarantee is invoked in the 6th article, are invited to accede to the present arrangement. Lord Cornwallis has reserved to himself to answer the antecedent proposition, at an early conference. *J. Bonaparte.*

PROTOCOL.

Amiens, 29th Nivose, year 10,—19, *Jan.* 1802. —The plenipotentiaries of France and England, having met for the continuation of their labours, observed, that both nations must expect, with equal impatience, the signing of the definitive treaty; and that the only means of attaining that object was doubtless to inform each other mutually, and without delay, of the points which each of the governments was disposed no longer to contest. Lord Cornwallis instantly declared that he consented to adopt the form of the preamble employed in past treaties between the French Republic and other powers. He likewise consented to stipulate in the definitive treaty, the maintenance of the privileges, ranks, and prerogatives, enjoyed by ambassadors, ministers, and other agents of the contracting powers, before the war. As to what related to—1. The exchange of the islands of St. Pierre and Miquelon for a part of the island of Newfoundland,—2. The cession of an establishment for the fishery in the Malouine isles,—3. The neutrality of fishers in time of war; Lord Cornwallis said, that these articles having been presented and rejected before the signing of the preliminaries, could not be re-produced with greater success. Citizen Joseph Bonaparte, in his turn, declared that he desisted from the demands relative to the above three articles. Lord Cornwallis then declared, that his government could not consent to the abolition of salutes at sea, because that was unprecedented, and had no connection with the present war. He demanded from what motive the French government, in its counter-project of treaty, affectedly detailed all the restitutions which were to be the result of peace; whilst it was more simple and more proper to place the parties in the same state as before the war. Citizen Joseph Bonaparte replied,—1. That salutes at sea being a source of pretensions and disputes, it appeared proper to stipulate their abolition. 2. That the nominal description of the objects to be restored, had for its object to make known, by a single law, the positive state of the contracting nations, so as to have no longer any occasion to recur to anterior treaties. He added, that notwithstanding the merit of the considerations relative to these two articles, his government was disposed also to desist from them in favour of peace. Lord Cornwallis demanded, that the article relative to the sequestrations should be inserted literally in the definitive treaty as it stood in the preliminaries, and in the project presented by his government. He observed, that the addi-

tional clause of the counter-project which says, that "English creditors in France cannot be more favoured than the French themselves," would be prejudicial to the English nation, inasmuch as the English government had not touched the property, the effects, or the funds of any Frenchman; that of France, on the contrary, had seized all that the English had in France, and had made only imaginary reimbursements. Whatever right the French government had to proceed in this manner towards French citizens, according to the law of circumstances, it could not so dispose of what belonged to the English. Citizen Joseph Bonaparte took this article *ad referendum*—Lord Cornwallis then proceeding to reply to the demands made by citizen Joseph Bonaparte, relative to the augmentation of the French territory and commerce in India, said, That the conditions proposed by France would produce endless discussions, and that the English government persisted in the return to the same state in which both nations were before the war. Citizen Joseph Bonaparte observed, that the pure and simple restitution of the French possessions in India, being rather to be considered as a charge than a benefit, it would be natural enough that France should insist upon her demands relative to important ameliorations; but that this government, wishing to accelerate the epoch of a peace so desirable for the whole world, insisted only on the following dispositions:—1. That England shall give up, or cause to be given up to France, the seven Joukans, or tolls of Villehour; inasmuch as the district of Villehour forming part of the territory of Pondicherry, was granted without any reserve or restriction, by the Soubah of Dekan and the Nabob of Arcot, to the French East-India Company. That the treaty of 1783 confirmed this property, (and that, too, without any restriction,) and yet France has the dissatisfaction still to see, that duties, to her burdensome, and extremely inconvenient, are levied in her own territory, in the name of a foreign power. A remonstrance was presented upon this subject in 1785, by Messrs. De Bussy and Coutanceau to Lord Macartney, who answered, that the joukans in question formed part of the ancient district of Valdahour, and belonged to the Nabob of Arcot. It was replied, that the district of Vilhehour had, itself, formed part of the district of Valdahour; and yet that, since the grant and confirmation above mentioned, it had formed a district completely separate; that, consequently, each proprietory nation should enjoy the accessories of its portion. Nothing was decided with respect to this just demand, by the explanatory convention of 1787; and it is hoped that it will at length be done justice to. 2. That England shall consent to exchange the district of Valdahour for that of Bahour, which belongs to France; inasmuch as this arrangement, which, it is said, was to have been made at the time of the treaty of 1783, would secure to the inhabitants of Pondicherry the articles of the first necessity; and that, without requiring an important sacrifice, it would terminate continually reviving difficulties. 3. That at the period of the restitution of Yanaon, France shall also be put in possession of the tract which always belonged to her, on the left bank of the Coringuy, where the merchandize intended for Yanaon is embarked; and as the river has successively encroached upon the greater part of the tract where the workshops are situated, there shall be granted an equivalent tract on the opposite bank; so that the weavers driven out by the inundations, may still find an asylum. And that, in execution of the treaties of 1783 and 1787, the French may have, for the trade carried on by them on the coast of Coromandel, and particularly for the execution of their contracts in the interior of the country, the same means of security and protection as in Bengal. 4. That on the Malabar coast, France, in entering into possession of Mahe and its dependencies, shall equally recover the petty territory of Courchy, which has always belonged to her since the cession made by the king of Colastrie, to M. Mahe de Labourdonnaye, and of which Tippoo Sultaun never had a right to dispose in favour of the English, as he was not the proprietor of it; and, lastly, that France should have permission to establish a factory at Alepe, should she think proper, in order to have a share of the pepper trade in the country of the King of Travancore. Lord Cornwallis said, that he reserved himself to answer, in the subsequent conferences, the demands above stated. Citizen Joseph Bonaparte, not being able to lose sight of the important article of the fishery, stated that France, in renouncing the XI, XII, XIII and XIVth articles of her counter-projet, had only reserved to herself to propose modifications, which from experience seem to be indispensable, and which had been foreseen by the XIIIth article of the preliminaries; wherein it is said, "that in the definitive treaty, just or reciprocally advantageous arrangements shall be taken, to place the fishery of the two nations in the state best adapted for maintaining peace." We are charged to demand accordingly,—1. That the French fishermen of the island of Newfoundland, shall be protected in the same manner as the English themselves. 2. That France, should she deem it proper, shall have a commercial agent at St. John. 3. That, in virtue of several treaties, we shall have the right of fishing exclusively, and at all seasons, on the

coasts which have been assigned to her, inasmuch as, when she ceded the property of the island of Newfoundland, under the reserve of fishing within a determined extent, she did not impose upon herself the condition of not fishing but a certain kind of fish, and during a particular season of the year, but only that of not being at liberty to fortify any place, nor to erect any building, except the scaffolds and huts necessary for drying the fish. That hence necessarily result several tacit rights, viz. the right of cutting wood, erecting hospitals on shore, and providing for the first necessities of life; in fine, the right of leaving persons to protect the boats and utensils of the fishery. The greater part of these rights have been frequently contested, and frequently recognized, since the Court of London has, on different occasions, granted indemnities to the French proprietors of boats, which had been burnt or destroyed by the English; but it is to be apprehended, that the same subjects of dispute may recur, unless a remedy is provided by precise dispositions. The French Government observes, that the islands of St. Pierre and Miquelon are about to be restored to her, entirely ravaged by the consequences of the war; that it, consequently, hopes to obtain that the permission formerly given to the French, of cutting wood in the bay of St. George, which is at a distance from all their establishments, shall be applicable to the bays of Fortune or Despair. Lord Cornwallis reserved himself to consult his government, and the conference was adjourned to the following day. *J. Bonaparte.*

PROTOCOL.

Amiens, 7 Pluviose, Year 10, 27 Jan. 1802.—The Plenipotentiaries of the French Republic, and his Britannic Majesty, after having anew discussed several points, on which nothing could be determined without waiting for the decision of their respective governments, conceived that, to accelerate the labour with which they were charged, they ought, without further delay, to agree as to the form and wording of several articles already agreed upon as to their substance. Accordingly they drew up the following articles:

TREATY OF PEACE, &c.

The First Consul of the French Republic, in the name of the French people, and his Majesty the King of the United Kingdom of Great Britain and Ireland, &c. being animated with an equal desire to put an end to the calamities of war, have laid the foundation of peace in the preliminary articles signed at London, the 9th Vendemiaire, year 10, [1st Oct. 1801.] And as, by the XVth art. of the said preliminaries, it has been stipulated, that plenipotentiaries should be named on each side, who should proceed to Amiens for the purpose of concluding a definitive treaty, in concert with the allies of the contracting powers;—The First Consul of the French Republic, in the name of the French people, has named citizen Joseph Bonaparte; and his Britannic Majesty, the Marquis Cornwallis. His Majesty the King of Spain, the Indies, &c. and the Batavian Republic, after having acceded to the preliminaries, have named for their plenipotentiaries, viz. His Catholic Majesty, the Chevalier d'Azara; and the Batavian Republic, the Sieur Schimmelpenninck, &c. Who, after having duly communicated to each other their full powers, as transcribed at the end of the present treaty, have agreed upon the following articles:—Art. There shall be peace, friendship, and good understanding between the French Republic, his Majesty the King of Spain, his heirs and successors, and the Batavian Republic, on the one part; and his Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, on the other part. The contracting parties shall give the greatest attention to maintain between themselves and their states a perfect harmony, without allowing, on either side, any kind of hostilities, by sea or by land, for any cause, or under any pretence whatsoever. They shall carefully avoid every thing which might hereafter affect the union, happily established, and they shall not afford any assistance or protection, directly or indirectly, to those who should cause prejudice to any of them. Art. His Britannic Majesty restores to the French Republic, and her allies; namely, his Catholic Majesty and the Batavian Republic, all the possessions and colonies which belonged to them respectively, and which had been occupied or conquered by the British forces in the course of the present war, with the exception of the island of Trinidad, and the Dutch possessions in the island of Ceylon. Art. The territories, possessions, and rights of the Sublime Porte, are maintained in their integrity, such as they were before the war. Art. The limits of French and Portuguese Guiana shall be determined by the river Arawari, which falls into the ocean below the North Cape, near Isle Neuve, and the island of Penitence, about a degree and one third of north latitude. These limits shall follow the course of the river Arawari, from that of its mouth, which is at the greatest distance from the north Cape, to its source, and thence in a direct line from its source, to the river Branco towards the West. The northern bank of the river Arawari, from its mouth to its source, and the lands which are situated to the north of the line of the limits above fixed, shall consequently belong in full sovereignty to the French

Repulic. The southern bank of the said river, from its source, and all the lands to the southward of the said line of demarkation, shall belong to her most Faithful Majesty. The navigation of the river Arawari, throughout the whole of its course, shall be common to both nations. Art. The Republic of the Seven Islands is acknowledged. Art. The evacuations, possessions, and restitutions stipulated for by the present treaty, shall take place in Europe, within ————; in the continent and seas of America, and of Africa, within three months; and in the continent and seas of Asia, within six months after the ratification of the present definitive treaty. Art. In all the cases of restitution agreed upon by the present treaty, the fortifications shall be delivered up in the state in which they may have been at the time of the signature of the preliminary treaty; and all the works which shall have been constructed since the occupation, shall remain untouched. It is farther agreed, that in all the cases of cession stipulated in the present treaty, there shall be allowed to the inhabitants, of whatever condition or nation they may be, a term of three years, to be computed from the notification of the present definitive treaty of peace, for the purpose of disposing of their property, acquired and possessed, either before or during the war; in which term of three years they may have the free exercise of their religion, and the enjoyment of their property. The same privilege is granted, in the countries restored, to all those who shall have made therein any establishments whatsoever, during the time those countries were in the possession of Great Britain. With respect to the inhabitants of the countries restored or ceded, it is agreed that none of them shall be prosecuted, disturbed, or molested in their persons or properties, under any pretext, on account of their conduct or political opinions, or of their attachment to any of the contracting powers, nor on any other account, except that of debts contracted to individuals, or on account of acts posterior to the present definitive treaty. Art. In order to prevent all causes of complaint and dispute which may arise on account of prizes which may have been made at sea after the signature of the preliminary articles, it is reciprocally agreed, that the vessels and effects which may have been taken in the British Channel, and in the North Sea, after the space of twelve days, to be computed from the exchange of the ratifications of the said preliminary articles, shall be restored on each side; that the term shall be one month from the British Channel and the North Seas, as far as the Canary Islands, inclusively, whether in the ocean or in the Mediterranean; two months from the said Canary Islands as far as the Equator; and, lastly, five months in all other parts of the world, without any exception, or any more particular description of time or place. Art. The ambassadors, ministers, and other agents of the contracting powers, shall enjoy, respectively, in the states of the said powers, the same rank, privileges, prerogatives, and immunities, which public agents of the same class, delegated by the contracting powers, enjoyed previous to the war. Art. The present treaty shall be ratified by the contracting powers in the space of twenty days, or sooner, if possible. And the ratifications shall be exchanged in due form at Paris.

Joseph Bonaparte, Cornwallis.

PROTOCOL.

Amiens, 8th Pluviose, Year 10, *Jan.* 28, 1802.—The following article has been agreed upon by the French, English, and Batavian ambassadors:—The Cape of Good Hope remains in full sovereignty to the Batavian Republic, as it was before the war. French and English vessels of every description shall have the right to put in there, and to purchase such supplies as they may stand in need of; they shall always be admitted on the same footing.

J. Bonaparte, Cornwallis, Schimmelpenninck.

PROTOCOL.

Amiens, 13th Pluviose, Year 10, *Feb.* 2, 1802.—The plenipotentiaries of the French Republic and his Britannic Majesty having met, Lord Cornwallis presented the projet which had been communicated by the French minister, in the conference of the 28th Nivose, (18th January); he declared that he was prepared to adopt it, with the modifications contained in the following article, which would form the fifth of the projet:—Inasmuch as the Order has not, at this time, either troops, or the means of paying them, it is agreed, that the King of Naples shall be invited to furnish two thousand men, to be employed in guarding the fortifications, under the orders of the Grand Master. France and England mutually engage to pay each twenty thousand pounds sterling yearly, for the subsidiary pay of this garrison: this pay shall be continued until the 1st of January, 1805, the period at which the troops of the Order, formed in the manner stated in the sixth article, shall be alone entrusted with the defence of the fortifications. After considerable discussion, the French minister agreed to refer the matter to his government.

Bonaparte, Cornwallis.

PROTOCOL.

Amiens, 15th Pluviose, Year 10, *Feb.* 4, 1802.—The plenipotentiaries of the French Republic and his Britannic Majesty having

met, Citizen J. Bonaparte announced that he had communicated to his government the difficulties which had arisen upon the articles relative to Malta; that he had it in charge to insist on their being inserted in the treaty, as they were transcribed in the Protocol of the 28th Nivose (18th January); that if this be refused by Lord Cornwallis, he consented to depart from it, and to recur to the literal execution of the preliminaries. He added, these stipulations have become a fundamental law, from which none of the contracting parties are permitted to deviate; an unwillingness to execute them, is an unwillingness for peace. To the religious observance of this principle, I have sacrificed several articles which in no respect are prejudicial to the interests of Great Britain; it was my duty to renounce them without hesitation, the moment it was demonstrated to me that they were not strictly included in the preliminaries. How can an article be now demanded, which is, in every respect, opposite to them? What do the preliminaries say?—That Malta shall be restored to the Order of St. John of Jerusalem. Is the King of Naples the Order of St. John of Jerusalem? Is the Order too weak? The projet gives them for guarantees and protectors the principal powers of Europe. The preliminaries are satisfied with one power. The French government has thought, that the object of the preliminaries would be better accomplished by the united guarantee of the great powers; that it was more respectable and more proper: nevertheless as, above all, it desires the absolute, nay, literal execution, should that be required, of the preliminaries, it is ready to sacrifice for them this article, which a kind of political decency had dictated. I cannot, therefore, too strongly demand the insertion of the projet in the treaty, or the literal execution of the fourth article of the preliminaries. Lord Cornwallis reserved to himself to communicate this representation to his government, and to give his answer at an early conference. *J. Bonaparte, Cornwallis.*

PROTOCOL.

Amiens, 22d Pluviose, Feb. 11, 1802.—The British and French plenipotentiaries having met, Lord Cornwallis observed, that in a conference which had just taken place between him and the Batavian plenipotentiary, relative to the indemnities due to the Prince of Orange, as well on account of his dignities and charges, as on account of his property, the Batavian plenipotentiary replied, on the express authority of his government, that France had taken upon herself to obtain the said indemnities, without laying any part of the burthen on the Batavian Republic. Upon which Lord Cornwallis thought proper to request Citizen Joseph Bonaparte to explain to him the precise intentions of the French government with respect to this matter. The French plenipotentiary replied, that France would employ her good offices, in order that the Prince of Orange might receive the indemnity which was due to him. It was afterwards proposed to confer on several points which had remained in suspense. Lord Cornwallis communicated the answers of his government respecting the propositions stated in the Protocol of the 19th of January last. These answers amount to this statement, that every thing relative to the fishery of the island of Newfoundland, the islands of St. Pierre and Miquelon, and the French possessions in India, may remain entirely on the same footing as before the war. However, to prevent any disputes which might arise on account of the fishery, Lord Cornwallis was authorized to renew the declaration made after the treaty of 1783, which was conceived in the following terms:—

DECLARATION.—In order that fishers of both nations may not be involved in daily quarrels, his Britannic Majesty shall take the most effective measures to prevent his subjects from troubling in any manner, by their competition, the fishing of the French during the temporary exercise of the privilege granted to them on the coasts of the island of Newfoundland, and will for that purpose cause the settled establishments formed there to be withdrawn. His Britannic Majesty will also give orders to prevent any interruption to the French fishers in the cutting of the wood necessary for repairing their scaffolds, cabins, and fishing vessels. The mode of fishing which has always been recognized, shall be the model on which the fishery shall be carried on. The French fishers shall build nothing but their scaffolds, shall confine themselves to repairing their vessels, and shall not winter on the island. The subjects of his Britannic Majesty, on their part, shall in no manner molest the French fishers during their fishery, nor damage their scaffolds during their absence.

Citizen Joseph Bonaparte said, he would make no observation at present on this declaration, the insufficiency of which was acknowledged in the preliminaries, which state the necessity of making some just and reciprocal arrangements which may be useful towards the preservation of peace. But that he would transmit the answers which had been made to his government.

J. Bonaparte, Cornwallis.

PROTOCOL.

Amiens, 29th Pluviose, Feb. 18, 1802.—The plenipotentiaries of the French Republic and his Britannic Majesty having met, Lord

Cornwallis announced that he had communicated to his government the statement relative to Malta, made by Citizen Joseph Bonaparte in the Protocol of the 4th of this month; that he was directed to declare that his government would always adhere to the 4th article of the preliminaries, in the sense and spirit in which it must necessarily be understood by all who read it, and in which it was, in fact, understood by the French government when that article was agreed upon. That article expresses, not only that Malta shall be restored to the Order of St. John of Jerusalem, but that the island *shall be placed under the guarantee and protection of a third power*. The word *protection*, which was added to *guarantee*, was inserted for the purpose of designating an effective and not an ideal protection; and no one can doubt the necessity of an effective protection until the Order be in a condition to maintain the independence of the island against an external attack, as well as to support itself against the dangerous opposition which it is obvious it must experience on the part of the inhabitants who continue to manifest the greatest animosity against the Order of St. John. The British government possess very accurate information respecting that opposition, and Lord Cornwallis has had the honour of mentioning that subject on several occasions to Citizen Joseph Bonaparte. It is impossible that the Order of Malta can of itself, for some time at least, possess a sufficient force for those objects. Lord Cornwallis therefore considers himself authorized to declare on his part, and with the greater reason, that not to be willing to grant to the Order the means of taking possession of the island, and of maintaining itself in that possession, is not to desire the execution of the preliminaries, and not to desire the peace. In the first conference which Lord Cornwallis had the honour to have with Citizen Joseph Bonaparte, at Paris, on the 24th of November, that minister suggested the King of Naples as the natural guarantee and protector of the island of Malta, on account of his sovereignty. Objections having been made to that guarantee, he afterwards named the Emperor of Russia; but he did not think it would be proper to admit a Russian garrison into the island. He concluded that day by proposing a plan, by which a Neapolitan garrison would be given to the island until the Order of Malta should be in a state to provide for its proper security. He even proposed that that garrison should be paid conjointly by France and England. Further, in the counter-projet of a treaty which Citizen Joseph Bonaparte transmitted to Lord Cornwallis, it is again proposed that the island of Malta shall be placed under the *guarantee* and *protection* of his Sicilian Majesty. The same idea of giving a foreign and temporary protection to the Order has always been entertained by the two contracting parties. At last there remained no difference between them on that point, except as to the means of paying the garrison; and though the French plenipotentiary declared, three weeks ago, that France would not consent to pay any thing, he has not yet declared that his government would depart altogether from its former determinations, if the means of defraying the expence could be pointed out. He only made known that resolution in his statement of the 4th of this month, in which it is declared in a manner very little conciliatory. The British government, however, could not deviate from the sentiments expressed on this subject. It is still thought and believed, that all the powers will be of the same opinion, that a garrison is absolutely necessary, in the first place, for the protection of the island. The British government must, therefore, insist for a protection of that kind, as the only means of restoring the island to the Order of St. John of Jerusalem, and consequently of accomplishing the execution of Article IV. of the preliminaries. Meanwhile, the English government, desirous to spare no pains in endeavouring to bring about an arrangement on this subject, and to accelerate peace, has drawn up a plan, in which Citizen Joseph Bonaparte will find the point relative to the definition of the Order of Malta, which appeared to him doubtful on the discussion, fully particularized; and he will perceive that almost all the propositions in his project of the 18th of January, are adopted. Lord Cornwallis has the honour of proposing to the French minister, in the following terms:—1. The islands of Malta, Gozo, and Camino, shall be restored to the Order of St. John of Jerusalem, on the conditions and under the stipulations which follow: 2. The Knights of the Order whose langues shall continue to exist after the exchange of the ratifications of the present treaty, shall be invited to return to Malta as soon as the said exchange shall have taken place. They shall there form a General Chapter, and proceed to the election of a Grand Master, if that election has not been previously made in consequence of the declaration of the Emperor of Russia of the 16th of March last. It being understood that, in so far as may be compatible with the stipulations included in Article IV. of the present arrangement, the Order shall be held to consist solely of such of the Knights as were qualified to vote for the election of a Grand Master at the period

of that declaration. 3. The forces of his Britannic Majesty shall evacuate the island and its dependencies, within the three months following the exchange of the ratifications. At that period it shall be restored to the Order in its present state, provided that the Grand Master, or commissioners fully authorized according to the laws of the Order, shall be in the island to receive the possession, and that the provisional force to be furnished by his Sicilian Majesty, agreeably to Art. XII. shall have actually arrived at Malta. 4. The contracting parties having agreed to discontinue the French and English langues, a Maltese langue shall be established, which shall be supported by the territorial revenues and commercial duties of the island. There shall be annexed to this langue specific dignities, with competent appointments, and an inn. No other qualification shall be required of the Knights of this langue than that of belonging to the present order of nobility. He may hold any situation in the Order, and shall enjoy all the privileges the knights of the other langues may enjoy. The native inhabitants of Malta shall be admitted to all municipal, administrative, and other employments under the government of the island. 5. The half of the garrison at least shall always consist of native Maltese; with respect to the remainder, the Order shall have the power of recruiting only among the natives of the countries who continue to possess langues. The Maltese troops shall have Maltese officers. The chief command of the garrison, as well as the appointment of officers, shall belong to the Grand Master of the Order. 6. The independence of the islands of Malta and Gozo is, with the present arrangement, placed under the guarantee of Great Britain, France, Austria, Russia, Spain, and Prussia. 7. The permanent neutrality of the Order of Malta is declared. 8. The ports of Malta shall be open for the trade and navigation of all nations, who shall there pay equal and moderate duties. These duties shall be applied to the maintenance of the Maltese langue, in the manner specified in Article IV.; to the civil and military establishments of the island, and to that of a general lazaretto, to be open to all flags. 9. The Barbary powers are alone excepted from claiming any share to the provisions of the preceding Article, until a favourable opportunity arrives for abolishing the system of hostility which subsists between the Order of St. John of Jerusalem and those powers. 10. The Order shall be governed, both in spiritual and temporal matters, by the same laws which were in force when the knights surrendered the island, in so far as make compatible with the regulations there specified. 11. The regulations contained in Articles IV. V. VII. VIII. and X. shall be converted into perpetual statutes of the Order, in the usual form; and, after the restoration of the island, the Grand Master, as well as his successors, shall be held to take an oath for the punctual observance of all the said regulations, which shall for ever be preserved by the order. 12. The rights of the sovereignty of the King of the Two Sicilies over the islands of Malta, Gozo, and Camino, are formally acknowledged and confirmed as unalienably annexed to the Crown of the Two Sicilies. On this account his Sicilian Majesty shall furnish two thousand troops to garrison the fortresses of the island, until the order be in a condition to raise a sufficient number of troops in the manner proposed by article V; and the Grand Master, or his representative, shall renew, when the island is restored, the oath of fidelity which was taken at the time of the primitive donation of the island to the Knights; as well as an oath similar to that which was at that period taken by the Order, for maintaining all the rights and privileges of the people of Malta and Gozo. The different powers specified in article VI, namely, Great Britain, France, Austria, Russia, Spain, and Prussia, shall be invited to accede to the present arrangement. Citizen Joseph Bonaparte deferred his answer until the ensuing conference.

J. Bonaparte, Cornwallis.

PROTOCOL.

Amiens, 29th Pluviose, Year 10, *Feb.* 18, 1802.

The plenipotentiaries of the French Republic and his Britannic Majesty having met, Lord Cornwallis repeated what he had the honour to state to Citizen Joseph Bonaparte, in the conference of the 11th of this month, but which had been omitted in the Protocol of that conference; namely, That the Ottoman Porte having formerly acceded to the Preliminaries of Peace between his Britannic Majesty and the French Republic, and their respective allies; and notified to the English Government the refusal of the Turkish Government to ratify the treaty concluded by Ali Effendi, the Turkish Ambassador Extraordinary at Paris; has, in consequence thereof, nominated the said Ali Effendi Plenipotentiary to the Congress of Amiens, to confer in the definitive peace. The British Government must, therefore, demand, that the Sublime Porte be admitted, either as a contracting party, or an acceding party to the said treaty. Lord Cornwallis afterwards communicated to the French Plenipotentiary, that his Britannic Majesty could not recognize the King of Tuscany, unless the district of Olivenza was restored by Spain to Portugal, and the *presidi* to the King of Naples; and, finally, until the King of Naples was

re-established in Piedmont. Citizen Joseph Bonaparte postponed his answer until the next conference. *J. Bonaparte, Cornwallis.*

PROTOCOL.

Amiens, 30th Pluviose, Feb. 19, 1802.—The Plenipotentiaries of the French Republic and his Britannic Majesty having met, Citizen Joseph Bonaparte proposed the insertion in the Protocol of the following note, in reply to the statement made by Lord Cornwallis in yesterday's conference. The undersigned has read with particular attention all the papers of the negotiation, without discovering any trace of the proposition supposed to have been made by France, for delivering up the island of Malta to the troops of his Sicilian Majesty. Article IV. of the preliminaries cannot be interpreted in that manner. When the undersigned first had the honour of seeing Lord Cornwallis at Paris, on the 24th Brumiaire, he was far from imagining that their reciprocal felicitations on the facility with which the mission entrusted to them might be terminated, could be regarded as propositions and plans for a treaty; he had not even then received his powers. They were not delivered to him until the 30th of Frimaire, and it was only on the 14th of Frimaire that they were communicated to the British Minister: the latter, however, arrived in Paris, furnished with the instructions of his Government. In his first visit he spoke of Malta as an embarrassing article, though it had been agreed that there should be in that island a garrison, consisting of troops of another power, until the order had time to organize its armed force. Spain appeared to Lord Cornwallis inadmissible as a guaranteeing power, on account of her alliance with France: Russia he thought too distant, and Naples too feeble. The English Plenipotentiary, insisting constantly on a garrison to be furnished by the guaranteeing powers, as a basis agreed upon, observed, that Naples could not support the expence of such a garrison. It is possible that the undersigned may have added, that a consideration of that kind could not arrest two powers such as France and England. For the rest, the positive discussion of all these objects was referred to the time when the negotiation should be commenced. In the conferences which took place at Amiens, in the Protocols, in the project of the treaty of the 14th Nivose (Dec. 16,) the undersigned never suggested an idea which could make it be supposed that his Government would consent to the island of Malta being given up to the Neapolitan troops, to be guarded by them for three years. On the contrary, he proposed in the Protocol of the 23d Nivose (Jan. 13,) to place Malta under the guarantee of the principal powers of Europe, who should each furnish 200 men. That island would thus have been guarded by 1200 good troops paid by the order, Lord Cornwallis having himself observed, that the revenues of the boundary appropriated in reserve, would supply the means. The anonymous paper transmitted to the undersigned bears no mark of authenticity: it appears to be drawn up by some discontented persons. It is not the language of the inhabitants of Malta, of a country which would have been nothing but for the order. When they are made acquainted with the article of the treaty which relates to them, they will rejoice at the re-establishment of an order in Malta, of which they are to form an integral part. Admitting that circumstances require a provisional and intermediate garrison for Malta, from the time of its evacuation by the British forces, until the period in which the order shall have formed a body composed of Maltese and strangers, it is proved that the 4th article of the preliminaries, which *restores the island to the order*, should be departed from as little as possible. This article foresees the necessity of a guaranteeing and protecting power, the means of its execution are left to the wisdom and good faith of the two Governments. They are to do every thing that Malta may be restored to the order, and nothing else; nothing that may restrain its prerogatives; nothing, which, instead of offering a protection to the Knights, would appear to give them a master, or diminish the exclusive influence that they ought to have in Malta. The French Government, by its *projet*, gives the order for its protectors, England, Austria, Spain, Russia and Prussia: it was hardly possible for the order to be restored with more lustre, or be more efficaciously protected. Why was there to be a Neapolitan garrison of 2000 men for three years? Was it against foreign enemies? The protection of the six powers above named was doubtless sufficient. Was it against the Maltese? The order will be beloved then, if the stipulations are carried into effect. It will be the best internal defence that can be given to it. But in agreeing to the necessity of a garrison, was it only for security and for the internal police, is it necessary to be three years forming a corps of 1000 men, which, joined to four hundred Knights and 600 Maltese, would be abundantly sufficient? Now that the plan is admitted of delegating the guarantee and protection of the order to the great powers, would it be very important, or convenient that the King of Naples should garrison it for three years? Would it be agreeable either to the protecting powers, or to the protected, or to the Grand Master, to see the order guarded by the troops of that Prince who has lone any claims on the sovereignty of the island.

Would it not be more conformable to the preliminaries, to what is proper, if a foreign force is to be introduced into Malta, to raise a corps of a thousand Swiss, the officers of which should be named by the commandary, and should be selected from them who have not borne arms in the present war. They would probably ultimately fix themselves at Malta; far from any foreign influence, dependant on the Grand Master, they alone would be the soldiers of the order, and Malta would be to them a second country. The order would have every thing to gain in consideration and in independence, with a garrison composed of Knights, Maltese, and a Swiss corps, such as all other powers have in their pay. It results from the observations, that France never consented to the establishment of Neapolitan troops at Malta, and consequently not that *the island should be given up to his Sicilian Majesty, to form, in concert with the Maltese, the garrison of it for three years.* That was what was proposed by Lord Cornwallis in the conference of the 13th of January. The French government, after the perseverance of the English to prolong for three years the stay of a foreign garrison in the island, and of giving it up formally, not to the order, but to his Sicilian Majesty, could not avoid thinking, and were warranted in saying, that they were departing from the preliminaries, and that the preliminaries were the basis of the peace. If this language did not appear conciliatory, it was not that the dispositions of France were changed; but when one, in a discussion, has exhausted every argument without being able to convince, it is impossible that, in the common course of reasoning, each party should not conclude that the other declines all manner of arrangement. If the intention of the English government is to maintain the Order of St. John and the island of Malta in perfect independence, (as the undersigned wishes to suppose,) he hopes that the following *projet*, which endeavours as much as possible to remove all foreign influence, will meet the approbation of Lord Cornwallis. This *projet* is certainly preferable in every point of view to those which have been hitherto presented, —the undersigned cannot too strongly press its adoption. If, however, the *projet* which establishes a Neapolitan garrison at Malta, should be irrevocably adopted by the British government, the undersigned, to hasten the moment of pacification, will consent to adopt it in the manner it is drawn up at the end of this note. Lord Cornwallis will see, in the two versions of the *projet* relative to Malta, the application of the principle that the undersigned has just developed. He is also charged with insisting on the insertion in the treaty of an article respecting the powers of Barbary, as it is drawn up in this *projet*, and for the union of the contracting parties, to put an end to the hostilities which the Barbary powers exercise in the Mediterranean, to the disgrace of Europe and of modern times. The simple notification of the toil of the contracting parties in this respect, will give peace to the trade of the United States, Portugal, Naples, and the other states of Italy. And if any nations have to fear the rivalship, which would then be greater in the Mediterranean trade, it is undoubtedly France and Spain, who by their position and their connexions with the Barbary Powers, have at all times the greatest security and advantages in this branch of commerce. It is they then which would make the greatest sacrifice; but in questions which interest the political morality and the dignity of the nations of Europe, is it possible to confine one's views merely to considerations of self-interest? Strength is given to nations, as well as individuals, to enable them to protect the weak. It will be consoling and glorious to see a war which has produced so many calamities, terminate by an important benefit to all commercial nations. This question is also connected with Malta, and cannot be separated from it. If the contracting parties do not take upon themselves to put an end to the hostilities of the Barbarians, it must then be truly said, that the Order of St. John is bound, by its original engagement, to wage an eternal war with the nations of Barbary. Those generous men who founded the *Commanderies*, did it for the purpose of protecting the Christians against the pirates of the Barbarian Powers; and all the political societies in Europe must agree, that if the order was to cease to discharge that duty, and fulfill the object of its institution, it would lose its right to the possession of that property which was given to it for that consideration. Lord Cornwallis has reserved his reply for one of the next conferences.

J. Bonaparte, Cornwallis.

SWISS VERSION*.—Art. I. The isles of Malta, Gozo, and Camino, shall be restored to the Order on the following conditions:— II. The Knights of the Order are invited to return to Malta, as soon as the ratifications of this treaty shall have been exchanged. They shall form there a general Chapter, and proceed to the election of a Grand Master, if that shall not have been already done. III. France and England, wishing to place the Order of St. John in the most perfect inde-

* Alteration of Article I.—Article I. The islands of Malta, Gozo, and Camino, shall be restored to the Order of St. John of Jerusalem, to be held by it on the same conditions according to which it enjoyed before the war, and under the following stipulations.

pendence with respect to them, agree, 1st. That there shall be neither English nor French langue at Malta. 2dly. That no individual of either country can be admitted into the Order, or allowed to remain in it. IV. The forces of his Britannic Majesty shall evacuate the island and its dependencies, within three months after the ratifications are exchanged. At this epoch it shall be restored to the Order in its present situation; provided that the Grand Master, or commissaries fully authorized, according to the ancient statutes, should be in the island to take possession of it, and that the force hereafter stipulated shall be then arrived. V. There shall be raised, at the expence of France and England, a body of a thousand Swiss, whose officers shall be named by the Landamman. They shall be chosen from them who have formerly served in Holland, Spain, and Sardinia, but who have not borne arms in the present war. They shall repair to Malta, and the fortifications shall be put in their possession by the Grand Master, or his representatives. They shall be paid by France and England for a year, reckoning from the day of the exchange of the ratifications of the present treaty; after which time the corps is to be in the pay of the Order. It is to be recruited from among the Maltese and the nations which preserve langues at Malta. VI. There shall be established a Maltese langue, which shall be kept up by the territorial revenues of the island, and the commercial duties. This langue shall have dignities, pensions, and a hotel like the others. Nevertheless proofs of nobility shall not be rigorously required for admission into this langue. The knights shall be admissible to all employments and privileges like the knights of the other langues. The principal, civil, and judicial employments in the nomination of the government, shall be occupied (at least a half of them), by the native inhabitants of Malta. VII. Half of the garrison at least, must be always composed of Maltese, except in the case mentioned in the 5th article; for the remainder, the Order shall have the liberty of recruiting only among those countries which possess langues. The Maltese troops shall have Maltese officers. The command in chief of all the troops in the island shall belong to the Grand Master, who shall also have the nomination of the officers. VIII. The independence of the islands of Malta, Gozo, and Camino, as well as the present arrangement, are put under the protection and guarantee of France, Great Britain, Austria, Spain, Russia, and Prussia. IX. The permanent neutrality of the Order of Malta is proclaimed. X. The ports of Malta are open to the trade and shipping of all countries, who shall there pay equal and moderate duties; these duties shall be applied to the support of the Maltese langue, to the civil and military establishments of the isle, as well as to the establishment of a general lazaretto, to be open to people of all nations. XI. The powers of Barbary are the only powers excepted from the dispositions of the two preceding articles, until they shall have themselves renounced their system of habitual hostilities. In that case the contracting parties engage, that they shall enjoy in Malta the same rights as all other nations. XII. The Order shall be governed both in their spiritual and temporal affairs by the same statutes which were in force when the knights left the island, unless altered by the present treaty. XIII. The dispositions declared in the 4th, 5th, 7th, 8th, and 10th articles, shall be changed into laws, and be fixed in the usual manner among the perpetual statutes of the Order; and the Grand Master, as well as his successors, shall be bound to cause them to be punctually obeyed. XIV. The different powers specified in the 9th article shall be invited to accede to the present stipulations.

J. Bonaparte. Cornwallis.

NEAPOLITAN VERSION *.—Art I. The islands of Malta, Gozo, and Camino, shall be restored to the Order of St. John of Jerusalem, on the following conditions:—II. The Knights of the Order shall be invited to return to Malta as soon as the ratifications are exchanged. They are there to hold a general chapter, and proceed to the election of a Grand Master, if he is not before appointed. III. France and England, wishing to place the Order of St. John in the most perfect independence, with respect to themselves, agree, 1st, That there shall be neither English nor French langue. 2dly, That no individual belonging to either power can be admitted into the Order, or allowed any longer to continue in it. IV. The forces of his Britannic Majesty shall evacuate the island and its dependencies within three months after the exchange of the ratifications of the treaty. At this epoch it shall be ceded to the Order in its present condition, provided that the Grand Master, or commissioners fully authorized, according to the ancient statutes, shall be then in the island to take possession, and that the provisionary force, hereafter stipulated, shall have arrived. V. There shall be established a Maltese langue, which shall be supported by the territorial revenues, and com-

* Alteration from Art. I.—Art I. The islands of Malta, Gozo, and Camino, shall be restored to the Order of St. John of Jerusalem, and to be held by it on the same conditions by which it enjoyed them before the war, and under the following stipulations.

mercial duties of the island. This langue shall have dignities, pensions, and a hotel, like the other langues. Nevertheless, proofs of nobility shall not be rigorously required for the admission of its knights. They shall be admissible to all posts and privileges like the knights of the other langues. The municipal, civil, and judiciary employments in the nomination of the government, shall be filled (at least one half of them) by native inhabitants of Malta. VI. Half of the garrison, at least, shall be always composed of native Maltese; as to the remainder, the Order shall have liberty to recruit from the natives of those countries which continue to possess langues. The Maltese troops shall have Maltese officers. The command in chief of the garrison of the island, as well as the nomination of the officers, shall belong to the Grand Master of the Order. VII. The independence of the isles of Malta, Gozo, and Camino, as well as the present arrangement, are placed under the protection and guarantee of Great Britain, France, Austria, Spain, Russia, and Prussia. VIII. The permanent neutrality of the Order is proclaimed. IX. The ports of Malta shall be open to the commerce and shipping of all nations, who shall there pay equal and moderate duties: those duties shall be applied to the support of a Maltese langue, and to the civil and military establishment of the island, as well as for the establishment of a general lazaretto, which shall be open to every flag. X. The powers of Barbary are alone excepted from the dispositions of the two preceding articles, until they shall have themselves renounced their system of habitual hostilities. In that case the contracting powers engage to make them enjoy in Malta the same privileges as other countries. XI. The Order shall be governed, both in spiritual and temporal affairs, by the same statutes which were in force when the knights left the island, except as the statutes may be altered by the present treaty. XII. The dispositions of the 4th, 5th, 7th, 8th, and 10th articles, shall be converted into laws and perpetual statutes of the Order, in the accustomed manner: and the Grand Master, as well as his successors, shall make oath to observe them punctually. XIII. His Sicilian Majesty shall furnish a corps of 1000 men, to serve as a garrison for Malta. This corps shall remain there a year, reckoning from the date of the exchange of the ratification to the present treaty. It is to be composed of old soldiers, natives of the dominions of his Sicilian Majesty. XIV. The different powers specified in the 7th article shall be invited to accede to the present stipulations.

J. Bonaparte, Cornwallis.

PROTOCOL.

2d Ventose, Year 10, 21*st Feb.* 1802.—The plenipotentiaries of the French Republic and of his Britannic Majesty, having met, Citizen Joseph Bonaparte demanded the insertion in the *protocol* of the following note, in answer to the declaration of Lord Cornwallis, contained in the *protocol* of the conference of the 29th Pluviose (18th February, 1802), relative to the Ottoman Porte. The preliminaries of peace have been signed between France and the Porte: they have been ratified by the Porte with this simple restriction, "Provided they are not contrary to the treaty of London:" as they are not contrary, the French government considers them duly and explicitly ratified. The Grand Seignior, in a letter to the First Consul, expressed a desire to treat directly with France, and to convert into a definitive treaty the preliminary articles. In consequence, the ambassador of the Porte at Paris received full powers, and all necessary instructions. This ambassador has been presented to the First Consul, and has appeared convinced that France was necessary to Turkey, that he was ready to sign a definitive peace; but that he was bound, out of respect and deference, to acquaint the British minister with it. The First Consul consented, that he should immediately write to the British minister to inform him of this step, and a definitive peace will be concluded. Every peace which is not concluded directly between two such great powers as the Porte and France, may be a truce, but it will be a chimerical peace. There is, in the diplomatic system, two sorts of alliances, natural and accidental alliances. The alliance between England and the Porte being only accidental, it was the part of France, in the preliminaries, to stipulate the cessation of hostilities; but particular arrangements must be treated by our direct negotiation: to act otherwise, would be to place those powers in the second rank of states, and both of them belong to the first rank. All the assurances then which the French plenipotentiaries can give, are, 1st, That there shall be no secret article in this treaty. 2d, That it shall be entirely founded on the preliminaries. Any claim further than this would be unreasonable. In answer to the declaration of the English minister, with respect to the King of Etruria, contained in the same *Protocol*, and to the verbal declarations which have been formerly made with respect to the republics of Italy, Citizen Joseph Bonaparte has announced to his government the repugnance which his Britannic Majesty would have to acknowledge the King of Etruria, the Italian Republic, and the republic of Genoa. The acknowledgment of these powers by his Bri-

tannic Majesty, being of no advantage to France, the French plenipotentiary will no longer insist upon them. He desires, however, that the observations he now offers should be taken into the most serious consideration by the British cabinet. The political system of Europe is founded on the existence and acknowledgment of all those powers which share its vast and fine territories. If his Britannic Majesty shall refuse to acknowledge those powers which hold so distinguished a place in Europe, he renounces then all interest about the people which form these states. Nevertheless, how can the supposition be admitted, that the commercial interests of England should be indifferent to the trade of Genoa, of Leghorn, the mouths of the Po, and the Italian Republic? If its commerce should suffer any restraints in those countries, to whom could his Britannic Majesty complain, the reciprocity on his side being nothing, inasmuch as Genoa, Tuscany, and the Italian Republic, transact no commercial business in Engl nd, but are useful and necessary markets for British commerce? If those three powers, displeased at finding themselves not acknowledged by the great power, should make changes in their organization, and seek a refuge by an incorporation with a great continental power, his Britannic Majesty would debar himself from the right of complaining, and yet it is a subject he could not consider with indifference. There are sometimes complaints of the increase of the French Republic on the continent; and how can it be otherwise, w! en the great powers place the small states of Italy under an absolute necessity of seeking refuge and protection in France alone? The Cisalpine Republic, although acknowledged by the Emperor at the treaty of Campo Formio, never could succeed to get its ambassador received at Vienna. It continued to be treated by that prince as if the treaty of Campo Formio had never existed at that time. Doubtless, as the general peace was not concluded, the court of Vienna looked upon its treaty as a truce: but, now that a general peace is made, if those powers were to remain uncertain of seeing their independence acknowledged, they would fear being again treated in that slighting manner which they have already experienced, and would feel the necessity of connecting themselves more closely with the French people. The same principle which induced France to abandon three-fourths of the conquests she had made, has dictated to the First Consul the part of not intermeddling in the affairs of those small powers more than is necessary to re-establish order, and to found some stable organization. Must his moderation then have to conflict (we speak frankly) with the false and badly combined measures of other powers; or is the peace to be only considered as a truce? Afflicting prospect! discouraging to all good men, but which must infallibly be productive of consequences which cannot be calculated. Lord Cornwallis has reserved the communication of this answer to his government.

J. Bonaparte, Cornwallis.

PROTOCOL.

Amiens, 16th Ventose, Year 10, *March* 16, 1802.—The ministers of the French Republic and his Britannic Majesty having met, Citizen Joseph Bonaparte presented the note and *projet* following:—The undersigned has removed from this *projet* every thing which might protract the discussions. It is composed—1st. Of articles taken literally from the preliminaries: they are unattackable *. 2d. Articles already agreed to by the two plenipotentiaries in the different *Protocols* which have been signed since the opening of the negotiations: those cannot be rejected without prolonging the negotiation indefinitely †. 3d. Lastly, of articles either wished for by the British minister, and entirely voluntary on the part of France, as the 18th article, or arising from the preliminaries, the preceding stipulations and verbal conventions; such as the residence of the French troops at Otranto, whilst Malta shall be occupied by the English; or as the 19th, relative to the Republic of Genoa--If that republic, as an ally of France, is at war with Great Britain—if the minister of his Britannic Majesty should declare that his government is at peace with that state, the 19th article beco es useless, and the undersigned withdraws it. The 10th article, with respect to Malta, has been approved by Lord Cornwallis in all its parts: he has only asked, in the *Protocol* of the 13th Pluviose (2d Feb.) that the King of Naples should be invited to furnish 2000 men, to be employed to guard the fortifications of Malta. The 1st of January 1800, was fixed in his *projet* for the evacuation of the island by the Neapolitan troops: there can therefore be no question about the 12th paragraph of the 10th article. The French government has refused every *projet* which did not tend to render the Order as completely masters of Malta as circumstances would permit. It was in this spirit that it presented the *projet* of an auxiliary Swiss force, as likely to be more dependent on the Order than the troops of a neighbouring prince. Those reasons are detailed in the *Protocol* of the 30th Pluviose (19th Feb.) It would be superfluous to repeat them here, and it would be difficult to

* 1st, 2d, 3d, 4th, 5th, 7th, 8th, 9th, 11th, 12th, 13th, 14th, 15th, 16th.

† Articles 6th, 10th, 17th, and 20th.

prove that they were not more agreeable both to the spirit and the letter of the preliminaries than any other *projet*. Notwithstanding, such is the desire of the French government to answer the expectations of two great nations, and of all Europe, that it has sacrificed its *projet* to that feeling. It has consented that the fortifications of Malta shall be entrusted to a corps of Neapolitan troops, but it thinks that the number of troops should be limited to 1000 men, and the time of their staying there to a year; persuaded that before that epoch the Order will have formed a corps of troops sufficient for the interior service of an island, guaranteed and protected by the great powers of Europe, and that the Order will be more completely masters in Malta, and the spirit of the preliminaries more followed, when the Order shall be defended, served, and obeyed by its own soldiers. The undersigned adds, that if the British ministers persist in thinking that at first 1000 Neapolitans would not be sufficient, the French government will doubtless consent that the number shall be encreased even to 2000, according to the English *projet*. This condescension will incline Lord Cornwallis not to insist on the term of three years. The French government cannot consent to it, without abandoning the 4th article of the preliminaries, which gives Malta to the Order, and not to the King of Naples. In consenting to give up that island to the troops of his Sicilian Majesty during the first year, the situation of the Order, and, above all, the desire of the French government to arrive at a speedy conclusion, may explain that stipulation—any other condescension could justify it neither in its own eyes, nor in those of the nation and posterity. The undersigned has no doubt that Lord Cornwallis allows the proper weight to the sentiments expressed in this note, and to the omission of several important articles, sacrificed to the desire which both governments entertain of a speedy and honourable peace, which can subsist only in as far as it shall be founded upon the preliminaries. The undersigned believes that he has proved, by the most convincing demonstration, the agreement of the *projet* of the definitive treaty annexed with the preliminaries signed at London.

Treaty of Peace between the French Republic, the King of Spain and the Indies, and the Batavian Republic, on the one hand, and his Majesty the King of Great Britain and Ireland, on the other.

The First Consul of the French Republic, in the name of the French nation, and his Majesty the King of Great Britain and Ireland, equally actuated by a desire of putting an end to the calamities of war, have laid the foundations of a treaty of peace, by the articles signed at London the 9th Vendemiare, in the year 10 (1st of October, 1801). And as by the XVth article of the above-mentioned preliminaries, it has been agreed, that both on the one side and on the other, plenipotentiaries shall be appointed who shall repair to Amiens, there to proceed to digest the definitive treaty, in concert with the allies of the contracting powers; the First Consul of the French Republic, in the name of the French people, has appointed Citizen Joseph Bonaparte; and his Majesty the King of Great Britain, Marquis Cornwallis. His Majesty the King of Spain and the Indies, &c. and the Batavian Republic, after having acceded to the preliminaries, have named for their plenipotentiaries, viz. his Catholic Majesty the Chevalier d'Azara, and the Batavian Republic the Sieur Schimmelpenninck; who, after having duly communicated their credentials and full powers, transcribed at the end of the present treaty, have agreed upon the following articles:—Article I. There shall be peace, friendship, and a good understanding, between the French Republic, his Majesty the King of Spain, his heirs and successors, and the Batavian Republic, on the one part, and his Majesty the King of Great Britain and Ireland, and his heirs and successors on the other. The contracting parties shall pay the greatest attention to the maintenance of perfect harmony between themselves and their nations, without allowing, either on the one side or the other, any sort of hostility to be committed either by land or by sea, upon any ground or pretext whatever. They shall carefully avoid every thing that may eventually interrupt the union happily established, and shall give neither assistance nor protection, either directly or indirectly, to those who would wish to injure any of them. II. All the prisoners shall be restored on one side and on the other in one month, at farthest, after the exchange of the ratifications of the present treaty, after paying the particular debts which they may have contracted. III. His Majesty the King of Great Britain restores to the French Republic, the King of Spain, and the Batavian Republic, all the possessions and colonies occupied or conquered during the course of the last war, with the exceptions of the island of Trinidad, and the Dutch possessions in the island of Ceylon. IV. His Catholic Majesty cedes and guarantees the whole property and sovereignty of the island of Trinidad to his Britannic Majesty. V. The Batavian Republic cedes and guarantees to his Britannic Majesty the whole property and sovereignty of all the possessions and establishments in the island of Ceylon, which belonged to it before the war,

VI. The Cape of Good Hope remains in complete sovereignty with the Batavian Republic, as previous to the war. French and English vessels of every kind shall have the right of trading there, and carrying from thence such necessary provisions: they shall always be received on the same footing. VII. The territories, possessions, and rights of the Sublime Porte, are maintained in all their integrity as before the war. VIII. The limits of the French and Portuguese Guiana are fixed to the river Arawary, which falls into the ocean below Cape Nord, near New Island, and the Island of Repentance, about a degree and one third of northern latitude; these limits follow the river Arawary from its mouth farthest removed from Cape Nord to its source, and then stretch westward in a straight line from that source as far as Rio Branco. So that the northern banks of the river Arawary, from the place where it last discharges itself to its source, and the countries which lie to the north of the line of those limits, fixed on as above, shall belong in full sovereignty to the French Republic. The southern bank of the said river, from the same place of discharge, and all the countries to the south of the said line of limits, shall belong to her Majesty of Portugal. The navigation of the Arawary along its whole course shall be common to both nations. The arrangements that have taken place between the courts of Madrid and Lisbon, for the settling of their frontiers in Europe, shall be executed according to the treaty of Badajoz. IX. The Republic of the Seven Islands is recognized. X. The Isles of Malta, Gozo, and Camino, shall be restored to the Order of St. John of Jerusalem, to be by it possessed and held upon the same conditions as before the war, and under the following stipulations:—1. The Knights of the Order are invited to return to Malta as soon as the exchange of the ratifications shall have taken place. There they shall form a general chapter, and proceed to the election of a Grand Master, if it shall not have been done before. 2. France and England wishing to put the Order of St. John in a state of the most perfect independence in regard to them, agree that there shall be neither a French nor English langue, and that no individual of either nation shall be there admitted, nor continue to form part of the Order. 3. The forces of his Britannic Majesty shall evacuate that island and its dependencies in three months after the exchange of the ratifications; at that time it shall be delivered to the Order in the condition in which it was found, provided that the Grand Master, or his commissaries fully authorized according to the ancient regulations, shall be in the island to take possession, and that the provisionary force hereafter stipulated shall have arrived. 4. There shall be established a Maltese langue, which shall be maintained out of the territorial revenue and commercial duties of the island. This langue shall have the same dignities, and the same income and residence, as the others. The municipal employments, administrative and others, civil and judiciary, at least as far as one half, shall be held by the native inhabitants of the island. 5. The one half, at least, of the garrison shall always be composed of native Maltese; as for the rest, the Order shall have the liberty of recruiting them among the natives of those countries only who continue to possess langues. The Maltese troops shall have native officers. The chief command of the whole garrison of the island, as well as the nomination of the officers, shall belong to the Grand Master of the Order, without the power of delegating his authority to any particular commander. 6. The independence of the isles of Malta, Gozo, and Camino, as well as the present arrangement, are placed under the protection and guarantee of France, Great Britain, Austria, Spain, Russia, and Prussia. 7. The permanent neutrality of the Order of Malta is proclaimed. 8. The ports of Malta shall be open to all nations, upon payment of equal and moderate duties. The duties shall be applied to the maintenance of the Maltese langue, to that of the military and civil establishments of the island, as well as to that of a lazaretto general, open to the flags of all nations. 9. The powers of Barbary are alone exempted from the dispositions mentioned in the two preceding paragraphs, till they have renounced their system of habitual hostility. 10. The Order shall be governed by the same laws, spiritual and temporal, which were in force while the knights were out of the island, provided they be not contrary to any thing herein stipulated. 11. The dispositions mentioned in paragraphs 4th, 5th, 7th, 8th, and 10th, shall be converted into perpetual laws and statutes of the Order, in the usual form; and the Grand Master and his successors shall be obliged to take an oath punctually to observe them. 12. His Sicilian Majesty shall furnish a corps of 1000 men to garrison Malta. This corps shall be placed there within a year from the date of the exchange of the ratifications of the present treaty. It can only be composed of the ancient native troops of the states of his Sicilian Majesty. 13. The different powers specified in paragraph 6th, shall be invited to accede to the present stipulations.—XI. The French troops shall evacuate the kingdom of Naples, and the dominions of Rome. XII. The evacuations, cessions, and restitutions, stipulated by the present treaty, shall be executed for Europe in one month; for the con-

tinent and seas of America and Africa, in three months; for the continent and seas of Asia in six months, after the ratification of the definitive treaty. XIII. In every case of restitution agreed upon in the present treaty, the fortifications shall be restored in the condition in which they were previous to the signature of the preliminaries, and all the works constructed since the occupation shall remain untouched. It is farther agreed, that in every case of stipulated cession, the inhabitants, of whatever condition or nation, shall be allowed three years, reckoning from the ratification of the treaty, to dispose of their property, acquired or possessed, whether before or during the present war; during which term of three years they may freely exercise their religion, and enjoy their property. The same liberty is allowed in the countries restored to all those who may have made establishments of any sort during the time when those countries were in possession of Great Britain. With regard to the other inhabitants of countries restored or ceded, it is agreed that none of them shall be persecuted, disquieted, or troubled in his person or property, under any pretext, on account of his political conduct or opinions, or on account of his attachment to any of the contracting parties, or for any other reason except for debts contracted with individuals, or for behaviour posterior to the present treaty. XIV. All the sequestered property placed on either side, in the funds, revenues, and trusts, of whatever sort they may be, belonging to any one of the contracting powers, or to its citizens and subjects, shall be delivered up immediately after the signature of this definitive treaty. The decision of all claims between the individuals of the two nations, for debts, property, effects, or rights of any sort, which, according to the received usages and laws of nations, ought to be restored at the time of the peace, shall be committed to competent tribunals: and in this case they shall render prompt and entire justice in the countries where the claims shall be respectively made. XV. The fisheries on the coast of Newfoundland and the adjacent islands, and in the Gulf of St. Lawrence, are placed upon the same footing upon which they were before the war. The fishermen of Newfoundland, and the inhabitants of the isles of St. Petre and Miquelon, may cut the wood necessary for them in the bays of Fortune and Despair during the first year. XVI. To prevent all subjects of complaint and dispute that might arise on account of the prizes which may have been made on the sea after the signature of the preliminaries, it is reciprocally agreed upon, that the vessels and effects which shall have been taken in the Channel and Northern Seas, after the space of twelve days, reckoning from the exchange of the ratifications of the preliminary articles, shall on both sides be restored: that the term shall be one month, from St. George's Channel and the Northern Seas, to the Canary Isles inclusively, whether in the ocean or Mediterranean; two months from the Canaries to the Equator; and, in fine, five months in every other part of the world, without any exception or particular distinction of time or place. XVII. The ambassadors, ministers, and other agents of the contracting powers, shall enjoy respectively, in the dominions of the said powers, the same rank, privileges, prerogatives, and immunities, which agents of the same class sent by the said contracting powers enjoyed before the war. XVIII. France shall procure for the branch of the House of Nassau, which existed in Holland, indemnities in Germany equivalent to all the losses it has sustained. XIX. The present treaty is declared common to the Ligurian Republic. XX. The present treaty shall be ratified by the contracting powers in the space of five days, or sooner if possible, and the ratifications in due form shall be exchanged at Paris.

Secret and separate Article.—The French troops shall evacuate Otranto, when the island of Malta shall be evacuated by the forces of his Britannic Majesty. Lord Cornwallis reserves his answer for the next conference.

J. Bonaparte, Cornwallis.

PROTOCOL.

Amiens, 6th March 1802, *(15th Ventose, An* 19.) The Plenipotentiaries of his Britannic Majesty and of the French Republic being again met, Lord Cornwallis declared, that his government having perused with the most serious attention the two *projets* relative to Malta, presented by the French Minister in the protocol of the 19th of February (which was not signed till the 23d) has found that only practicable, and consequently admissible, which proposes to put a Neapolitan garrison in that island. But the number of troops proposed appears to that government evidently too small, and the time of their remaining in the island too short; so that without extending these two dispositions, the *projet* in question cannot be adopted as a practicable mean of fulfilling the intention of the preliminaries. There are others, too, which it is very essential to explain more clearly, to prevent as much as possible, the difficulties that might arise in the execution of the *projet*. It is very important for the two nations, and also for all Europe, to fix a plan of arrangement for that island, that may leave no uncertainty as to its future condition. It is upon this principle that the British government

acts, a principle that could only arise from its desire to remove every cause of misunderstanding for the future between itself and the French government. With this view it has employed itself anew to draw up another plan, in which it has endeavoured to new-model some of the same dispositions that are in the former *projets*. It believes them indispensable for the attainment of the object which it is desired to arrange, and cannot, therefore, insist upon them too strongly. The new plan proposed by the British government is as follows:—I. The isles of Malta, Gozo, and Camino, shall be restored to the Order of St. John of Jerusalem, in the condition in which they were held by that Order before the commencement of hostilities between Great Britain and France, and under the following stipulations. II. The Knights of the Order, of whom the langues shall continue to subsist after the exchange of the ratifications of the present treaty, shall be invited to return to Malta as soon as the exchange shall have taken place: they shall form a general chapter, and proceed to the election of a Grand Master, if it shall not have been done before, in consequence of the declaration of the Emperor of Russia, of the 16th of March 1801. It is understood, that while it shall be compatible with the dispositions mentioned in article 4th, the Order shall consist only of those Knights who were qualified to vote at the election of a Grand Master at the time of that declaration. III. The governments of Great Britain and France, desirous to place the Order of St. John, and the island of Malta, in a state of entire independence, of both the one and the other of these powers, agree, 1st, That there shall be neither a French nor an English langue. 2d. That no individual belonging to one or the other power shall be admitted into the Order. IV. There shall be established a Maltese langue, to be maintained by the territorial revenues and commercial duties of the island. There shall be annexed to that langue specific dignities, with a proportional income and residence. The Knights of the said langue shall not be required to produce any other proof to be admitted into the Order than that of actual nobility. They shall, in other respects, be admissible to all charges, and shall enjoy all privileges as the Knights of the other langues. The municipal employments, administrative, and others, civil and judiciary under the government of the island, shall be held in the proportion of at least one half, by the native inhabitants of Malta, Gozo, and Camino. V. The forces of his Britannic Majesty shall evacuate that island and its dependencies, in three months after the ratifications shall be exchanged. At that time it shall be restored to the Order in the same state in which it was found, provided the Grand Master or commissioners fully authorised, according to the statutes of the Order, shall be in the island to take possession of it, and provided that the force to be furnished by his Sicilian Majesty, according to article XIII. shall have arrived. VI. The half of the garrison at least shall be composed of native Maltese. For the rest, the Order shall have the liberty of recruiting among the natives of those countries only that shall continue to possess langues in the Order. VII. The independence of the isles of Malta, Gozo and Camino, as well as the present arrangement, shall be placed under the protection and guarantee of Great Britain, France, Austria, Russia, Spain and Prussia. VIII. The permanent neutrality of the isle of Malta is proclaimed. IX. The ports of Malta shall be open to the commerce and navigation of all nations, upon payment of an equal and moderate duty. Those duties shall be applied to the support of the Maltese langue, in the manner specified in article IVth, to that of the civil and military establishments of the island, as well as the lazaretto general, open to the flags of all nations. X. The Powers of Barbary are alone excepted from the dispositions of the two preceding articles, till by an arrangement to be brought about by the contracting parties, the system of perpetual hostilities which has subsisted for so long a time between these Powers and the Order of St. John, shall be terminated. XI. The Order shall be governed in spiritual and temporal concerns by the same statutes that were in force since the Knights left the island, as far as they shall be compatible with the different regulations specified. XII. The dispositions contained in the articles III. IV. VI. VIII. and XI. shall be converted into perpetual laws and statutes of the Order in the usual form; and the Grand Master or his representative, after the island shall be restored, as well as his successors, shall be obliged to take an oath punctually to observe the said dispositions, as being the stipulations under which the isle of Malta has been restored to the Knights of St. John of Jerusalem, and which shall be preserved by the Order for ever. XIII. His Sicilian Majesty shall furnish a force of two thousand men for a garrison to the different fortifications of the said islands. That force shall remain there one year from the date of the restitution of the island to the Knights. If, after the expiration of that term, in the opinion of the guaranteeing Powers, the Order shall not have raised a number of men sufficient to serve for a garrison in the island and its dependencies, in the manner proposed by the 6th article, the Neapolitan troops shall remain there till re-

lieved by a sufficient force, upon which the guaranteeing powers shall agree. XIV. The different powers specified in the 7th article, namely, Great Britain, France, Austria, Russia, Spain, and Prussia, shall be invited to accede to the present arrangement. Citizen Joseph Bonaparte reserves his answer till the first conference. *Cornwallis, Bonaparte.*

PROTOCOL.

Amiens, 18th Ventose, An 10, *March* 9, 1802. The Plenipotentiaries of the French Republic and his Britannic Majesty being met, Lord Cornwallis demanded the insertion in the protocol of the following note, in answer to that which Citizen Joseph Bonaparte has published in his note inserted in the protocol of the 2d Ventose, (21st of February) relative to the Ottoman Porte. Lord Cornwallis has communicated to his Government, as well as to the Ambassador of the Sublime Porte at Paris, this note of the French Plenipotentiary. It ought to be mentioned that the Ambassador has already announced to him on the 10th of January, that he had received the orders of the Sublime Porte to repair to Amiens to treat of a definitive treaty of peace with France, in concert with the allies of the Sublime Porte; and that he had applied to the Minister of Foreign Affairs of France in consequence, who was then at Lyons. The same Ambassador, according to the communication undermentioned, of what had passed relative to him between the French and Britannic Plenipotentiaries, has testified to Lord Cornwallis, of the date of the 27th of February, that which follows: That not having received an answer from the Minister of Foreign Affairs to the first request that he had made to be admitted to the Congress of Amiens, he had renewed that demand when that Minister had returned to Paris. That for the same purpose he had presented himself to the First Consul of the French Republic, who had replied, that it was not necessary for him to attend the Congress, and that he might treat directly at Paris, when an explanation had taken place between the French Republic and the British Cabinet, on the subject of the peace between France and Portugal, of which the case was similar to that which existed between France and the Sublime Porte. That having answered, that he could do nothing without communicating with the Allies of the Sublime Porte, he had insinuated to him to write on this subject to the Minister of his Britannic Majesty at London.

That having consulted his instructions, he had informed the Minister of Foreign Affairs, that he was not authorised to correspond with the British Cabinet, but only to concert with the British Plenipotentiary at the Congress of Amiens. That he had not yet received an ultimate and categorical answer to his demand on the part of the Minister of Foreign Relations: and that, finally, he always persisted to demand his admission to the congress. Citizen Bonaparte will easily perceive how this declaration of the Ottoman Ambassador himself differs from that which is contained in the note inserted in the Protocol of the 2d Ventose (21st of February.) It appears from this, that the Ambassador has not received any other powers or instructions than those by which he is ordered to repair to Amiens, there to treat of a definitive peace, in concert with the Allies of the Sublime Porte. Lord Cornwallis will take this opportunity of observing, upon what the First Consul appears to have said to the Ottoman Ambassador, that he cannot discover in it any exact resemblance in the two cases between France and Portugal, and France and the Sublime Porte. The Ex-Ambassador of the Porte has made a treaty with France at Paris, posterior to the preliminaries signed at London. The Sublime Porte has judged it proper to refuse to ratify the treaty, and to adhere to the preliminaries: this is what has been communicated to the British Government. Portugal, on the contrary, does not appear to have refused to ratify her separate treaty with France; this case, therefore, cannot be considered as resembling that which exists between the Sublime Porte and France. The British Government having seen the aforesaid *protocol* of the 2d Ventose (21st February) and the answer of the Ottoman Ambassador upon what is there thrown out, has ordered Lord Cornwallis to renew his demand to the Plenipotentiary of the French Republic, that the Ottoman Porte may be admitted as a contracting party, or as an acceding party, to the definitive treaty of peace.

Lord Cornwallis has therefore the honour to intreat Citizen Joseph Bonaparte to receive, on his part, the very pressing applications which he is charged to make to him in this respect. Citizen Joseph Bonaparte, in his insisting upon his preceding declarations, has reserved to himself to answer, at greater length, in the next conference.

J. Bonaparte, Cornwallis.

The official documents on the negotiation of Amiens, give undeniable proofs of the great anxiety which the First Consul manifested in pressing it to a conclusion. To surmount the difficulties which still opposed it, he gave special instructions to Citizen Joseph Bonaparte, to afford the negotiation all the accommodations compatible with the honour and interest of France; confining himself in other repects, and on all occasions, to the spirit of the preliminaries. In consequence of these directions the French Plenipotentiary

remitted the *projet* of the treaty, inserted in the *protocol* of the 15th Ventose. In the conversations which followed, between the two Plenipotentiaries, Marquis Cornwallis declared that he had enforced, in his correspondence with his Court, the observation of the French Government, namely, that the French troops should remain at Otranto as long as the English remained at Malta. Meanwhile, the Cabinet of London evinced some repugnance to insert a clause which bore expressly upon the Court of Naples; and it was altogether out of respect to that Court, and from an entire confidence in the good faith of the British Government, that the Cabinet of Paris desisted from the clause it had demanded, and which was acknowledged just by the English Ambassador himself. This new proof of condescension and of sincerity, did not prevent the negotiation from being still protracted by the delay of the answers which Marquis Cornwallis expected from London. Citizen Joseph Bonaparte addressed to him a note for expediting matters; to which the English Plenipotentiary replied, without expressing any decision upon the contested points. These two documents were in the following terms:

Amiens, 19th Ventose, An 10. Citizen Joseph Bonaparte has received from Paris, the answers which he could desire, upon the articles which have been the object of the last conferences. He believes the discussion so completely exhausted, that the period of the negotiation cannot be much longer retarded. He prays, therefore, that Lord Cornwallis will have the kindness to declare the moment when, having received the explanations which he still waited for yesterday, upon the article of the prisoners and others, he will be in condition to conclude. The moment of the epoch so much desired, will no longer depend but upon the Plenipotentiaries. Lord Cornwallis will, doubtless, partake in the impatience of the undersigned.

J. Bonaparte.

Note of Lord Cornwallis. Amiens, March 11, 1802. Lord Cornwallis, in place of answering the whole subject of the note which Citizen Joseph Bonaparte has done him the honour to address to him, of yesterday's date, conceives that he stamps a higher value upon it by transmitting it immediately to his Government. He has received the most lively pleasure from learning, that that Minister believes that the period of the negotiation cannot be retarded. The desire of the British Government to see it terminated, cannot be equalled but by the personal wishes of Lord Cornwallis in that respect. He will be eager, therefore, to communicate to Citizen Joseph Bonaparte the information which regards the article of the prisoners the very moment it arrives. He has nothing to wait for but this article; and he has too much confidence in the justice of the French Government to believe, that if his Government conceives it still contrary to its honour to comply, in any manner, with the desires which France has expressed upon the other objects, of which he gave an account yesterday, that that refusal of his Government will prove any obstacle to the conclusion of the peace. Citizen Joseph Bonaparte may be well assured, that Lord Cornwallis will partake in all his impatience to accelerate that epoch, when the final adjustment of the matter shall only depend upon the Plenipotentiaries. *Cornwallis.*

The answers from London, for which Lord Cornwallis waited, so far from expediting the negotiation, were calculated only to retard it. He himself was convinced of the fact; and, in a conference of seven hours, which he had on the 27th Ventose, with Citizen Joseph Bonaparte, who, having recapitulated all the accommodations and all the sacrifices which France had been induced to offer with the hope of obtaining a prompt and honourable termination of differences between the two nations, Lord Cornwallis appeared to be personally affected by the delays which the negotiation still experienced, and expressed a hope that his Government would desist from changes which it had proposed. The moment was decisive. At the conclusion of the definitive treaty of peace, a circumstance took place similar to that which had previously occurred at the conclusion of the preliminary treaty; namely, that at the moment of signing England multiplied difficulties and chicaneries, as if it had never had a sincere desire to terminate hostilities, and that some afterthought had always remained to delay that general repose, so desirable to all Europe. Citizen Joseph Bonaparte, to point out, in vivid terms, all the contradictions of such a conduct, in the last note which he sent on the 28th Ventose, resumed with as much clearness as energy, the numberless proofs which the First Consul had given of his uniform inclination for a speedy and favourable conclusion of the definitive treaty.

Amiens, 28th Ventose, An 10.

NOTE.—The undersigned has seen, with as much pain as astonishment, the alterations made by the British government upon the plan of the definitive treaty, the joint result of the labour of the plenipotentiaries, since the commencement of the conferences, and solemnly communicated to the ministers of Spain, and of the Batavian Republic, in the meeting of the 22 Ventose. That work, so difficult, was drawn up in the conference of 29 Nivose. In that of the 7 Pluviose,

the preamble and ten articles (articles I. III. VII. VIII. IX. XII. XIII. XVI. XVII. and XXII.) were agreed to. The article regarding the Cape of Good Hope was agreed to in the conference of the 8 Pluviose, at which the Batavian minister assisted. In that of the 15 Ventose (March 6), several other articles (articles IV. V. XIV. XV. XVIII.) were drawn up in concert. There remained no farther difficulties but upon paragraph 12 of article X. regarding Malta; upon article XIX. relative to the accession of the Ligurian Republic; upon the separate article, relative to the continuance of the French troops at Otranto; upon the accession of the Ottoman Porte; and upon article II. regarding the prisoners. Lord Cornwallis having proposed the reducing to writing of paragraph 12, and of some other less important paragraphs of the article relative to Malta, that proposal was adopted. The article relative to the Sublime Ottoman Porte was also inserted in the treaty upon the same day, 17 Ventose. The articles relative to criminals, and to the general guaranteeing of the stipulations, were adopted in the same conference, agreeably to the desire which the British minister manifested in regard to them. The article concerning the prisoners, discussed at great length during the first days of the negotiation, had at length appeared to Lord Cornwallis not to present any farther obstacle, having several times assured the undersigned, that he believed the period of the negotiation was arrived, seeing there was no more but that article to discuss of it. Lord Cornwallis believing, as the undersigned also did, that moment arrived, was pleased to inform him that he was eager to demand of his court the final terms of that article, the principal stipulations of which had been already agreed to. In the mean time, in his answer to the note of the undersigned, of 19 Ventose, Lord Cornwallis expressed the wish, *that if the English government conceived it still contrary to its honour to comply, in any manner, with the desires which France had expressed upon the other objects, of which he had given any account, that refusal of his government would not prove an obstacle to the peace.* Those objects which could still retard the conclusion were now reduced to the article of the accession of the Ligurian Republic, and to the continuing of the French troops at Otranto. The undersigned was fortunate enough to be authorized to announce, upon the 20th, to Lord Cornwallis, that these last obstacles were removed by the condescension of his government, which consented to the admission of the article regarding the evacuations without restriction, and to the admission of that article relative to the Ligurian Republic. The moment so much desired, was at length arrived. It was agreed that, upon the 22d, the plenipotentiaries of the four contracting powers should meet to adjust several articles of detail, such as the language in which the treaty should be reduced to writing, the titles, &c. That meeting took place at the house of the Batavian minister. The English and Spanish ministers having desired an alteration as to article VI. regarding the Cape of Good Hope, it was adopted after some trifling discussions. Lord Cornwallis was pleased to express to the undersigned, how much he was struck with the facility with which the Batavian minister had given up the article which had been previously subscribed, and with the conciliating manner in which M. le Chevalier D'Azara had relinquished the desire which he had always expressed, of having the treaty reduced into the Spanish language, in order to avoid the delay which the dispatching a new courier would occasion. Article V. was of-new discussed between the English and Batavian ministers, and it was agreed that there should be added, for the greater precaution, to the words already agreed upon, "and to its East India Company." A separate article, containing some reservations as to the *langues*, was also agreed upon. Lord Cornwallis having expressed, in the same conference, to the undersigned, that he was particularly desirous, that in article XIX. the Ottoman Porte should be described as the ally of his Britannic Majesty, the undersigned readily assented to it. These corrections were made upon the different original minutes by the secretaries of legation; and it was at the same time agreed, that the secretary to the French legation should undertake to have copies, conformably to the alterations then made, prepared for the ministers of Spain, and of the Batavian Republic. The article concerning the prisoners alone, of which the British ministry had reserved the final wording, was still not literally adjusted. Marquis Cornwallis waited for it with the greatest impatience: all the plenipotentiaries, particularly the undersigned, fully participated in the confidence expressed by him; but, yesterday, in place of a simple article drawn up in a spirit of conciliation, agreeably to the preliminaries, and to the promises of the British plenipotentiary, the undersigned received a *projet*, which does away several important articles, puts back the negotiation, endangers its fate, even at a period when it appeared happily arrived at its termination; at the same time, too, is an order to arm in their ports, given by the British government. To appreciate every extraordinary circumstance which this change presents, it is sufficient to compare the definitive terms of the treaty, such as

have been adopted by the four plenipotentiaries, with the new plan which has been communicated to him by Lord Cornwallis, and of which he has sent him a copy upon the 27th current. The undersigned wishes still to believe that the efforts of the plenipotentiary cannot have been made in vain; that Lord Cornwallis will experience from his government the same confidence which the undersigned has had the happiness to inspire into his, and which he has employed to bring matters to such a point, that it was impossible for any wise and moderate man not to regard the work of pacification as accomplished. It is, above all, in these circumstances, that the undersigned is desirous of authentically renewing to Lord Cornwallis, the homage and profound esteem with which his sentiments and his character inspire him: he begs that he will be pleased to accept of his high consideration.

J. Bonaparte.

' Art. I. There shall be peace, friendship, and good understanding, between his Majesty the King of the United Kingdom of Great Britain and Ireland, and the Sublime Ottoman Porte, their heirs and successors. *Observation.* In the first article of the treaty drawn up with the concurrence of the plenipotentiaries, only four powers were enumerated; namely, France, England, Spain, and Holland: in the new *projet*, on the contrary, the Sublime Porte is introduced as if that government had been mentioned in the act. II. All the prisoners made on either side, by sea or land, and the hostages carried away and given during the war, and to this day, shall be restored, without ransom, in six weeks at latest, reckoning from the day of the exchange of the ratifications of the present treaty; and on paying the debts which they may have contracted during their captivity. Each contracting party, to whom prisoners have been restored, or may be restored, shall respectively pay the advances which have been made by any of the contracting parties, for the subsistence and maintenance of those prisoners in the countries in which they have been detained, conformable to the receipts, proved accounts, and other authentic documents, which shall be furnished by both parties. Commissioners shall be appointed by the contracting parties to regulate and adjust the claims and demands of each, as well as the amount due on the said credits. *Observation.* The part of article 2d, which relates to the compensations for the maintenance of prisoners, ought to have been drawn up either according to the preliminaries, or according to the repeated promises of the English plenipotentiary; but the new article is drawn up upon an opposite, or, at least, a very different principle. III. Conformable. IV. Conformable. V. The Batavian Republic cedes and guarantees, in full property and sovereignty to his Britannic Majesty, all the possessions and establishments in the island of Ceylon which did belong to the republic of the United Provinces, or to its East India Company. *Observation.* In art. 5, it is endeavoured to change the denomination of the Batavian Republic, into that of the Republic of the *United Provinces.* VI. The Cape of Good Hope is restored in full sovereignty to the Batavian Republic. Its ports shall be open for the trade and navigation of the contracting parties, whose subjects and citizens shall, with respect to the payment of duties, be placed on the same footing as the citizens of the Batavian Republic. *Observation.* This article does indeed grant to France and England the greatest advantages in the ports of the Cape of Good Hope. But the French minister considers it his duty to observe, that article six of the *projet*, generally adopted, was agreed upon by the plenipotentiaries, and inserted in the *Protocol.* VII. Conformable. VIII. It seems just that the paragraph added to this article should be omitted, as his Britannic Majesty is not directly a party to the exception in question: but if the paragraph be preserved, it will be necessary to add another, affirming the integrity of Portugal in other respects. *Observation.* It has been recognized that it is indispensable to declare the preservation of the integrity of the Portuguese possessions; but with the reduction resulting from the cession of Olivenza to Spain, which could not be more properly expressed than in article eight, which it is proposed to change. IX. Conformable. X. Words to be substituted in paragraph first, instead of those which follow:—PREVIOUSLY. From the exchange of the preliminary articles of peace, it is expected that the election should be made conformable to the statutes and forms established for regulating the election of a Grand Master. The office of Grand Master of the Order is considered by the contracting parties as having been vacant at the time the preliminary articles were signed. To insert in paragraph three these words, "*Existing Nobility.*" To insert in paragraph nine, the following words: "The system of perpetual hostility, which has so long subsisted between those powers and the Order of St. John of Jerusalem, shall be terminated." To insert at the end of paragraph eleven, the following words: "Shall be held to make oath to observe punctually the said regulations, they being the stipulations under which the island of Malta is to be restored to the Knights of St. John of Jerusalem, and which shall for ever be observed by the Order."

Observation. This addition contains a superfluous stipulation, relative to the non-continuance of the former Grand Master. The change proposed in the ninth paragraph, renders the concurrence of the contracting powers, relative to the cessation of hostilities by the Barbary states, only applicable to the hostilities which these states carry on against the Order of Malta. This, though infinitely less advantageous to the general good, is still honourable, but very difficult of execution; for, either the powers which have langues in Malta, and remain in war with the Barbary states, must abstain from the advantages they would obtain by being admitted into the ports of that island, or the Barbary powers themselves must renounce those advantages. The addition proposed to paragraph eleven, is only a repetition of that which is stipulated by the same paragraph, and which is also literally expressed in the first paragraph. The changes suggested to be made in the twelfth paragraph, depart from the spirit of independence and impartiality, according to which it was pretended the new organization of Malta was to be regulated; since, according to that change, the King of Naples may send a garrison to Malta, consisting of many liable to be greatly prejudiced. In the course of the negotiation, Neapolitan troops have always been mentioned; but Swiss troops in the service of Naples are not Neapolitans. XI. Conformable. XII. To add to this article after the words, "by this present treaty," the following words: "Except in the case in which it is expressly otherwise disposed of." XIII. XIV. XV. and XVIII. Some words which differ in the translation, of no importance. XVI. Conformable. XVIII. All the property which belonged to the Prince described by his Britannic Majesty as Prince of Orange, and by the French Republic as Prince of Nassau, in the month of December, 1794, and which has been sequestered since that period, shall be restored to him. XIX. The Sublime Ottoman Porte shall be invited by the contracting parties to accede to the present definitive treaty of peace, on the terms and conditions therein specified, and to transmit the ratifications at the end of three months, or sooner, if possible.

Joseph Bonaparte.

Six days after the delivery of this note, the treaty was signed; and the same hand which regulated the affairs of the continent with so much glory and success at Luneville, consummated, at Amiens, the maritime peace.

[*Here follows the definitive treaty, for which see Cobbett's Annual Register, Vol. I. page 321.*]

Thus was the treaty of Amiens concluded: the ratifications were exchanged, and there was, on the part of France, no delay in the punctual execution of all the articles. In three months, the kingdom of Naples, Tarentum, and the Papal States, were evacuated. Both nations began to taste the fruits of the peace. But the war-faction of London suffered no opportunity in parliament to escape them of provoking hostilities; and even from the language of the ministry during the discussions, it appeared that they only waited for intelligence from the continent, in order to violate the peace. A number of execrable men, who had survived our intestine revolutions, and whom the English government had employed during the war, were still pensioned, and were now meditating assassinations in Jersey and London, at the same time that they were publishing, in periodical papers in the French language, every thing which could excite the indignation of the republic. Some priests, unworthy of that sacred character, rebels against the authority of the Pope, and the disgrace of the Catholic Church, continued to hold meetings in London, where they fabricated *mandata*, and used every means in their power to promote trouble and disorder in the interior of France. After the English government had frequently promised to put a period to such offensive abuse, the government of the republic, finding that all those promises were ineffectual, thought proper to present an official note on the subject, to ascertain at least the intentions and the object of the British cabinet, and to propose that whatever should be prohibited in France, with respect to the reciprocal interests of the two countries, should also be prohibited in England. This note, which was delivered by Citizen Otto, was conceived in these terms:—

[*Here follows a note from M. Otto to Lord Hawkesbury, dated London, August* 17, 1802. *See No.* 12 *of the papers on the negotiation, laid before Parliament on the* 18*th of May*, 1803, *at page* 1003 *of this volume.*]

This note remained without any official answer; the British ministry contenting themselves with stating, that they would cause satisfactory explanations to be made at Paris: but though this was promised, nothing was performed. The periodical papers in the French language were encouraged and circulated with additional profusion; and the plots and intrigues continued. Persuaded, at last, that this proceeded, not from inattention, but from design, on the part of the British government, the French government sacrificed, to its love of peace, the resentment which these wretched libels occasioned, and no farther notice was taken of them. Accordingly, from the

month of Thermidor, year 10, there was not, in the intercourse between the two governments, any mutual complaint, or any exchange of official documents. England, however, did not evacuate Egypt, though the period fixed for that evacuation had expired several months; and the arrangements made at Malta indicated an intention of keeping her troops there. Some conversations took place, both at Paris and London, between the ambassadors and the ministers of both countries. England, at first, declared that she waited for the guarantee of the powers mentioned in the treaty of Amiens; and, afterwards, that she waited for the election of a Grand Master. The guarantees were given; the Grand Master was appointed; all obstacles were removed; it was even thought that some transports which passed through the straits of Gibraltar had been sent to bring away the English troops; and that Malta was about to be delivered up to the Neapolitan garrison: but, without any explanation, without any previous note, the King of England sent to his parliament a message, which was conceived in the following terms:

[*Here follows his Majesty's Message communicated to both Houses of Parliament on the 8th of March 1803. See Parliamentary Minutes, at page 403 of this volume.*]

The Ambassador of the Republic at London, finding that the British Government had made false assertions for the purpose of exciting a clamour for war, and that they spoke of negotiations which did not exist; saw that this conduct could only proceed from a determination to violate the treaty of Amiens, and compel the Republic to accede to dishonourable stipulations. He therefore thought it his duty to enter into some explanation, and presented the following note:

[*Here follows a note from Gen. Andreossi to Lord Hawkesbury, dated Portland Place, March 10, 1803. See No. 41 of the Papers on the Negotiation, laid before Parliament on the 18th of May, at page 1042 of this volume.*]

It was not until the 24th of Ventose (March 15,) seven days after the message had been sent to Parliament, that Lord Hawkesbury transmitted the answer of his Cabinet: which was in the following terms:

[*Here follows a note from Lord Hawkesbury to Gen. Andreossi, dated Downing-street, March 15th. See No. 45, of the papers laid before Parliament on the 18th of May, at page 1047 of this volume.*]

The complaints and explanations contained in this note should have been made long before the message was sent to parliament. The moment when the three months fixed for the evacuation of Malta were about to expire, was the time for stating the grounds on which the evacuation ought to be refused or delayed. Some discussions would then have arisen between the two Governments; and, however legitimate the pretensions of England might have been, she certainly ought to have employed the means of negotiation before she appealed to arms. On the contrary, the British Government began with warlike projects and preparations; and then stated, for the first time, the complaints which were the motives of its determinations. The singularity of this conduct, and the suspicions which it justly excited, did not prevent the First Consul from replying to the note of the British Cabinet. This answer was delivered by General Andreossy, and was conceived in the following terms:

[*Here follows a note from General Andreossi to Lord Hawkesbury, dated London, 7th Germinal, An 11. See the first inclosure in No. 49, of the papers presented on the 18th of May, at page 1053 of this volume.*]

Particular circumstances occasioned new solicitudes. English cruizers appeared on the coasts of Holland; and the French Minister for foreign affairs addressed the following note on the subject to the English Ambassador:

Paris, 4th Germinal, Year 11.

The undersigned minister for foreign affairs is charged to demand of the English Ambassador a categorical explanation respecting the violation of the French territory, which has taken place by the landing of 24 brigands between Ostend and Dunkirk, who were thrown on the coast by vessels belonging to his Britannic Majesty. Information has farther been received, that one of his Majesty's brigs also anchored in the road of Ostend; and that this brig compelled a French boat to carry on shore sixteen foreigners, who have served in the ranks of the British army. It is asked with astonishment, who could thus dare to violate the territory of France, and throw on her coasts the profligate of every country? Several English frigates have appeared before Helvoetsluys, to cruise before the road; and the captains have declared to all the Dutch boats with which they have spoken, that they are directed to prevent the sailing of French vessels. The London papers have published a pretended letter from the First Consul to the King of England, and also an account of the wreck of several vessels loaden with 100,000 stand of arms, for Ireland, with the colours of the United Irish on board. All these clamours seem to have evidently for their object to irritate the French nation, and to lay her under the obligation of repelling force by force. This proceeding on the part of the British Government is not worthy of its power. If his Britannic Majesty wishes,

in fact, to declare war, he ought to do it frankly and openly; but while war is not declared, he ought not to permit violations of territory and of flag. The conduct of the First Consul, during the fortnight in which he has received every kind of provocation, has been full of candour and good faith, and extreme moderation; but they will be strangely deceived, who suppose that this moderation can be carried so far as to view coolly any violations of territory or flag.

Ch. Mau. Talleyrand.

A new circumstance soon demanded a new remonstrance. It was known that the first orders which were transmitted for the evacuation of the Cape, had been revoked; that the evacuation had not taken place; and that, in a state of perfect peace, a capitulation had been concluded between the English and Dutch troops: whence it resulted, that the latter were only tolerated at the Cape, while the English troops preserved the possession of it. The Minister for foreign affairs addressed the following note upon this subject, to Lord Whitworth:

Paris, 9th Germinal, Year 11.

The newspapers have just published a pretended capitulation between the English and Dutch troops; whence it would result, that the Cape of Good Hope is still in the possession of the English. Though the First Consul has not been able to give any credit to the news of so extraordinary a violation of the treaty of Amiens, the reports which are circulated on this subject are so strongly accredited, particularly in London, and the details of the capitulation are so explicit, that the undersigned is charged to demand from the Ambassador of England such explanations as may dissipate every doubt on so serious a fact. The undersigned entreats the Ambassador of England to accept the assurance of his high consideration.

Ch. Mau. Talleyrand.

The answers of the English Ambassador, dated the 15th and 17th Germinal, relative to the cruizers, and the non-evacuation of the Cape, are thus expressed:

Paris, April 5th, 1803.

The undersigned Ambassador Extraordinary and Plenipotentiary of his Britannic Majesty, having transmitted to his Court the copy of the note communicated to him the 25th of the last month by M. de Talleyrand, Minister for foreign affairs, has it in charge to communicate to his Excellency, that the British Government has no knowledge of the facts which are therein represented as a violation of the territory of France. The Ministers of his Britannic Majesty have nevertheless thought it their duty to use all the means in their power, to inform themselves of the circumstances to which such an interpretation has been given; and, in order to facilitate these inquiries, the undersigned requests that M. Talleyrand will have the goodness to communicate to him the particulars which have reached the French Government upon this subject. As to the English frigates which are supposed to be cruizing before the ports of the Batavian Republic, his Britannic Majesty does not conceal that there are several ships of war in the seas adjoining those ports; but if the officers who command them have made any movements, or held any language which can be regarded as hostile, their conduct, in that respect, has been directly opposite to their instructions. The King relies with entire confidence in the assurances given him by the French Government, that the troops destined for Louisiana will not sail in the present circumstances. The undersigned can only repeat, what he has often declared to M. de Talleyrand, on the subject of the articles which have appeared in the English journals; that is, that the British Ministry cannot be responsible, except for what appears in the paper which is published by their authority, under the title of the London Gazette. The undersigned refers to the moderation and the candour which have distinguished the conduct of the British Government during the course of the present discussions, to prove with what sincerity it desires to avoid every thing that might give rise to animosity between the two nations. The undersigned entreats M. de Talleyrand to accept the assurance of his high consideration.

Whitworth.

Paris, April 7, 1803.

The undersigned Ambassador Extraordinary and Plenipotentiary of his Britannic Majesty, is charged by his Court to communicate to the French Government, in answer to the note which M. de Talleyrand, Minister for foreign affairs, addressed to him on the subject of the occupation of the Cape of Good Hope by the British troops, that orders were dispatched on the 20th November last, to cause that colony to be evacuated forthwith by his Majesty's forces; and consequently that there is no doubt that that establishment is already restored to the Batavian Republic. The undersigned entreats his Excellency M. de Talleyrand to accept the assurance of his high consideration. *Whitworth.*

The answer of Lord Hawkesbury to the note of the 7th Germinal was received at the same time, and on the same day the British Ambassador transmitted the subjoined note. These two papers were conceived in the following terms:

[*For the first of these, see a note from Lord Hawkesbury to General Andreossi, dated Downing-street, April 3, 1803, which note is the second inclosure in No. 49 of the papers laid before Parliament on the 18th of May. See page 1057, of this volume.*]

[*For the second, see a note from Lord Whitworth to M. Talleyrand, which was enclosed in No. 52 of the papers presented on the 18th of May, and which may be found at page 1061 of this volume.*]

After the delivery of these notes, a long conference took place, on the 18th of Germinal, between the Minister for foreign affairs and the English Ambassador; in consequence of which, Lord Whitworth agreed to write the following letter to his Government:

[*This letter is the inclosure referred to, in No. 53 of the papers presented on the 18th of May, and may be found at page 1063 of this volume.*]

The English Ambassador received instructions from his Court in answer to this dispatch, in consequence of which, he sent the following note, without signature or date, on the 27th Germinal.

[*This note is the inclosure referred to in No. 58 of the papers presented on the 18th of May; and may be found at page 1068 of this volume.*]

This proposition was preceded by an overture, still more unreasonable, which required that Malta should be ceded in full sovereignty, and in perpetuity, to the British government. But neither the first nor the second of these propositions could be made the subject of serious discussion, because they were both in complete contradiction to the treaty of Amiens, and consequently to the basis of the negotiation proposed by France, and on which Lord Whitworth, himself, founded the discussion, by the letter he wrote to his court after the conference of the 18th Germinal. Such was the state of affairs on the 6th Floreal, when Lord Whitworth read the last instructions he had received, and in consequence of which he required, 1st, That his Britannic Majesty should retain his troops at Malta for ten years: 2dly, That the island of Lampedosa should be ceded to him in full possession: 3dly, That the French troops should evacuate Holland. Lord Whitworth added, that in case a convention was not concluded upon the above basis within the course of seven days, his orders were to leave Paris, and return to England. He therefore presented these conditions as the *ultimatum* of his government. The minister for foreign affairs then thought proper to require, that Lord Whitworth would reduce to writing, and sign those propositions which contained the final decision of his court. Lord Whitworth refused; alledging that his instructions did not permit him to comply with this request. A mode of proceeding so totally new, as the exhibition of a verbal *ultimatum*, when the rupture of a formal treaty was in question, excited the greatest surprise: and it was for some days expected that the English ambassador would at last consent to present his propositions in writing: but the French minister applied to him in vain to do so; and no solicitation could induce him to depart from a course which he considered to be irrevocably traced out for him. The First Consul still persisted in giving a new testimony of the uniformity of his desire for peace; and, after some days spent in fruitless expectation, he ordered that the verbal propositions of Lord Whitworth should be replied to, in the same manner as if they had been regularly made under the official signature of the ambassador. The following is a copy of the answer:—

[*See the first inclosure, referred to in No. 66 of the papers presented on the 18th of May, at page 1078 of this volume.*]

When the preceding note was on the point of being transmitted to the English ambassador, the minister received an official demand from him for passports to leave France. He, therefore, accompanied the note with a letter, in which he expressed his hopes that the communication might prove of such a nature as to change the ambassador's resolution. His resolution, however, remained unchanged; and he persisted in his demand for passports by the following note, in answer to that which had been transmitted to him.

[*See the second inclosure referred to in No. 66 of the papers presented on the 18th of May, at page 1079 of this volume.*]

Notwithstanding the positive manner in which Lord Whitworth demanded his passports, the First Consul, who had constantly reflected on the means of avoiding a rupture, resolved to make a last effort, and accordingly directed the minister for foreign affairs to transmit the following note to the English ambassador:—

[*See a note from M. Talleyrand to Lord Whitworth, being the inclosure referred to in No. 67 of the papers presented on the 18th of May, at p. 1080 of this volume.*]

The English minister took this note *ad referendum*, and determined to send a messenger to his court. By the return of this courier, who was the bearer of a new and important overture, Lord Whitworth received instructions, in consequence of which he presented the note and plan of convention which are here subjoined:—

[*This note is the first inclosure referred to in No.* 70 *of the papers presented on the* 18*th of May, and may be found at page* 1085 *of the present volume. The copy of this paper, as it was published by the British ministry, has been declared by the French government to be garbled. By turning to page* 856, *the reader will see the genuine paper.*]

[*The projet alluded to is the second inclosure referred to in No.* 70 *of the papers presented on the* 18*th of May, and may be found at page* 1085 *of this volume.*]

Far from offering terms of conciliation, this *projet* of the court of London only repeated some inadmissible propositions, which were still farther aggravated by the terms in which they were drawn up. Besides, this note contained an assertion so contrary to the known dispositions of the court of Russia, that it was thought proper to reply to it immediately by the following note :—

[*Here follows a note from M. Talleyrand to Lord Whitworth, dated Paris, 22d Floreal, an* 11, *which note may be found in No.* 2 *of the papers presented on the* 24*th of May, at page* 1135 *of this volume. That copy the French government has declared to be garbled. For the genuine paper, see page* 856 *of this volume.*]

This note produced no effect. The ambassador of his Britannic Majesty confined himself to acknowledging the receipt of it; and so positive were his instructions, that he persisted in demanding his passports. His last note was in the following terms :—

[*See a note from Lord Whitworth, dated Paris, May* 12, 1803, *which note is marked No.* 3, *of the papers presented on the* 24*th of May, and may be found at page* 1136 *of this volume.*]

The passports which were demanded by Lord Whitworth, with a perseverence that appeared to have been imperiously dictated, were sent on the 22d Floreal, after three successive messages on his part. The ambassador began his journey about nine o'clock that evening. The First Consul was desirous that he should not leave the territory of the republic without bearing to his government a manifestation still more formal than all the preceding, of the constant disposition of the French government; and he directed the undersigned to transmit to him the following note :—

[*Here follows a note from M. Talleyrand to the British minister for foreign affairs, dated May* 14*th*, 1803. *This note was, on the* 20*th, communicated by the Counsellors of State to the Conservative Senate, and may be found among the public papers, at page* 840 *of this volume.*

[*The concluding paper in this collection is a message, signed by Bonaparte, and sent, on the* 20*th of May, to the Senate, Legislative Body, and Tribunate. This message may be found among the public papers, at page* 847 *of this volume.*]

OBSERVATIONS ON THE MANIFESTO OF THE KING OF ENGLAND.

[*From the Moniteur of the* 7*th of June*, 1803.]

" Si la vérité était bannie de la terre, elle devrait se réfugier dans le cœur des rois."

" Though good faith were banished from the rest of the earth, she ought still to retain her habitation in the breasts of princes*."

IF we may judge from the false allegations which abound in his various messages to parliament, as well as in the solemn declaration which has recently been issued from a throne, which peace only could render secure; it is not, assuredly, in the breast of the King of Great-Britain that good faith has found this asylum. Is it Europe that this monarch attempts to impose upon by this turbulent manifesto? Is it France he wishes to mislead or divide by his groundless accusations? Is it the allies of the republic whose confidence he hopes to alienate, by a hypocritical interest in their past situation? Is it his own subjects he is desirous of plunging into error, for the purpose of engaging them in a war purely ministerial? Or, rather, is it not the shameful violation of the sworn faith of nations, that his Britannic Majesty has undertaken to disguise? Is it not the evident dispositions of the letter and spirit of the treaties of pacified Europe that he has attempted to misconstrue? Is it not to palliate long-premeditated depredations on the commercial and maritime powers of the continent, that deceitful messages and faithless communications have been made to the British parliament; that, with an alarming ostentation, and in the moment of profound peace, he has organized military preparations in all his ports, a simultaneous aggression upon every ocean without motive, and rapacious hostilities without shame? But, if the causes of his complaints were legitimate, why force

* See Hume's England, vol. ii. p. 471. T.

the negotiations? Why, by an act of despotism, irrevocably close the door of reconciliation? Why oppose the interference of a mediating power? Why mutilate official papers? Why deceive the national representation? Why conceal the truth from a powerful people? Why change, in an unaccountable manner, the constitutional publicity of their parliamentary deliberations? Are the King of England and his ministers accustomed to imagine, that armed injustice is the power alone worthy of governing the universe? And do they not know, that violence and falsehood are ever injurious to the best of causes? The destiny of empires is more closely connected with the maintenance of treaties, and a due observance of the pledged faith of nations, than we are generally led to acknowledge. To the French government we commit the glorious task of victoriously replying, by the last and irresistible argument of governments and of nations, to these odious recriminations. In its moderate, pacific, and generous proceedings, it has been actuated by motives of duty: to the patience and dignity with which it has fulfilled that duty, the whole nation bears witness. Two years will scarcely have passed over our heads, before the genius of Europe, armed for peace, will have written, in characters of terror, on the shores of Britain, the merited punishment for the infraction of treaties. We shall confine ourselves to a simple refutation of the motives avowed in the manifesto of the King of England; and leave our readers to judge, whether the causes assigned for entering upon a war of so dreadful a nature betray, in the aggressor, a greater portion of injustice or of hatred, of falsehood or of blind infatuation. In voluntarily declaring war against France, at the expiration of a short twelve months of peace, the King of England pretends, "*that it was his sincere desire, not only to put an end to the hostilities which subsisted between the two countries, but also to adopt such measures as might most effectually contribute to consolidate the general tranquillity of Europe**." And what were these measures? They are distinctly written in the treaty of Amiens: to restore the Cape of Good Hope to the Dutch, in exchange for the valuable island of Ceylon; to restore Minorca to Spain, in exchange for the favourable colonial position of Trinidad; to evacuate Egypt, at a moment when the plague at Alexandria was the only powerful motive which induced the English to abandon that town; and, lastly, to evacuate the island of Malta, whose command over the commerce of the Mediterranean whispers to his avarice the perpetual possession. Such are the "measures" which he has adopted for "effectually consolidating the general tranquillity of Europe!" In what, then, does this new method of "consolidating the general tranquillity of Europe" consist? In declaring war against one of its principal powers, and in seizing upon every maritime position, calculated to secure to Great Britain an universal tyranny.

"*The same motives*," continues the King of England, "*by which his Majesty was actuated during the negotiations, have since invariably governed his conduct**." If these secret motives "during the negotiations" were *not* to abandon the possession of the island of Malta, it is, indeed, evident, that these same motives have not ceased to direct his conduct; but, if we may be permitted to speak the language of frankness and sincerity, it is far more evident, that the motive which has *invariably* actuated the conduct of the King, has been the perpetual usurpation of the island of Malta, by not executing the 4th paragraph of the 10th article of the treaty of Amiens. Is this evincing a desire "*effectually to contribute to consolidate the general tranquillity of Europe?*" Or is it not, on the contrary, commencing his declaration with a false and ridiculous proposition; since a manifest violation of the treaty of Amiens, in one of its most important dispositions, consists in his not restoring Malta to its legitimate sovereigns, the Mediterranean and navigation to their natural independence, and the commerce of nations to its indispensable and prescriptive liberty. The King declares, that he was actuated by a desire "*to consolidate the tranquillity of Europe before the negotiations for peace, as well as since that period.*" This is by no means the fact. The retention of Malta was the first act of this "consolidation of the peace of Europe;" and, at the present moment, more than at any former period, the cannon of the English tyrannizes in the Mediterranean from the heights of this rock, and insults the general commerce of that ocean, in the same degree *since* the signature of peace, as before that event was consummated. Facts speak louder than words. The stubborn and hostile retention of the island of Malta is the sole reply to these pretended "*amicable intentions*," to this "*sincere desire of his Britannic Majesty, to contribute to consolidate the general tranquillity of Europe.*"

1st CHARGE. The King of England complains, that "*the proceedings of the French government relative to commerce, afford the most striking contrast to his open, liberal, and friendly conduct;*" and that "*the prohibitions which*

* See present vol. p. 743.

* See p. 743.

*had been placed on the commerce of his Majesty's subjects during the war have been enforced with increased strictness and severity**." Here, then, we behold the conduct of the King of England suddenly become *open*, *liberal*, and *friendly!* Doubtless, yes; if *openness* consists in signing a treaty which was never intended to be executed; if *liberality* consists in prohibiting the introduction of French silks the moment they became fashionable in London; if *friendship* consists in carrying on war, with calumnies and with poignards during peace, and in hating and annoying, under the mask of benevolence and good neighbourhood. Can, then, the conduct of the King of England, under these points of view, be considered as *open*, *liberal*, and *friendly?* Far more correct would it have been, to have termed his conduct dexterous and cunning, in the deceitful, political senses of those expressions; for the King, in order to flatter the manufacturing and mercantile spirit of the English, in which alone their public spirit consists, has not scrupled to assert in his declaration, that "*the prohibitions on the commerce of his Majesty's subjects have been enforced with increased severity.*" That this assertion, also, is not founded in fact, proof upon proof might be adduced; but the following will be sufficient for our purpose. During the war, no British vessel landed her cargo in France; since the peace, our ports have been crowded with them. The introduction of English coal was prohibited during the war; it has been permitted since the peace. Besides, how can prohibitions of this nature be made a ground of complaint? Seeing that they are reciprocal, and in no country are so numerous or so rigid as in Great Britain. Our merchandize, and even our territorial produce, have invariably been rejected. Our wines can with difficulty find their way thither, and the duties upon them are exorbitant. The British government, jealous of the prosperity of all nations, would render all nations subject to its industry, and permit no consumption but the exports of its own commerce. Has France renounced her powers of industry, and her commercial spirit, by setting her hand to a treaty of peace? Has she sanctioned at Amiens the exclusive commerce and manufactures of Great Britain? Has not the latter her prohibitions, her imposts, and her custom-house duties? And in no respect does France infringe upon the treaty of peace, by organizing, in her turn, her customs and her prohibitions, according as the interest of her commerce and industry may require.

With the same want of correctness, the King of England asserts, that *all prohibitions on French commerce imposed during the war were removed**." This cannot possibly be true; for, previous to the war, a treaty of commerce between France and Great Britain was in existence. The various prohibitions during the war had destroyed the stipulations of this treaty. In order, therefore, that "*all*" the prohibitions "*imposed during the war*" should be completely removed, it would have been necessary to restore the advantages stipulated, with regard to France, by the treaty of commerce; and this, assuredly, is what Great Britain has not done. On the contrary, whatever could prove favourable to the commerce of France, has either been totally prohibited in England, or made subject to duties tantamount to a prohibition. Is not Great Britain, of all nations, the most exclusive in her commerce? Is it not the only one in possession of a Navigation Act? But have the other powers of Europe discovered a motive for warfare, either in her Navigation Act, or her system of exclusion? It is, therefore, highly absurd for England to behold, in our proceedings relative to British commerce, a subject of war. If she entertains the foolish idea, that France will sacrifice the manufactures and industry of her inhabitants to the manufactures and industry of England, and that war must last till she has attained this object, Great Britain must first succeed in disarming us; which she will find no easy enterprize against a nation of 33 millions of individuals, accustomed to victory, and who have successfully resisted the combined force of all Europe leagued against them; against a nation which, through ten years of triumphs, has taught the astonished universe, that, in spite of civil wars and dissentions, in spite of coalitions and crimes, organized and paid for, with unbounded prodigality, by the British government, nothing can result from the imprudent attacks which have been, and which may be made upon her, but an accession of power, of genius, and of courage; and that rivers can oppose but a feeble barrier to her conquests, and her just vengeance for violated treaties.

The King of England declares, that "*acts of violence have been offered to English vessels and their property; and that, in no case has justice been afforded, nor any satisfactory answer given to the repeated representations made by his Majesty's ministers or ambassador at Paris*†." When intended as the bases of national hostilities, acts of violence so flagrant ought, at least, to have been distinctly specified, and clearly proved. On the contrary, his Britannic Majesty has avoided a

* See p. 743.

* See p. 743. † Ibid.

distinct enumeration, for the purpose of rendering still more vague and extensive, a grievance totally unfounded. As to the pretended non-success of the representations made by his ministers or ambassador, in behalf of some British merchants, it is a fact of incontestible notoriety, that no one representation from the ministers of the King of England has not been taken into consideration. More than *two hundred decisions in favour of British merchants* could be cited in support of this assertion. So much for our "refusal to afford justice," and this "legitimate motive" for entering upon a new war!

2nd CHARGE. "*The French government has had recourse*," says the King's Declaration, "*to the extraordinary measure of sending over to England a number of persons, for the professed purpose of residing in the most considerable sea-port towns of Great Britain, in the character of commercial agents; a character to which they could have no pretensions, but from a commercial treaty; and no treaty of that description was in existence between his Majesty and the French Republic* *." If the French government have employed commercial agents, it has been by virtue of the usage and universally acknowledged law of Europe. Since commerce, the principal agent of modern civilization, forms also the grand basis of the prosperity, the riches, and the strength of nations, commercial relations have become a sort of natural right, a law of nations among civilized people. To be authorized to employ commercial agents in a foreign country, it does not necessarily follow, that a commercial treaty must exist between us and that country. Thus it is that we send them to Sweden, Denmark, Austria, Prussia, and America; and that these powers dispatch other commercial agents to us in return, although we have no commercial treaty with those powers. Thus it is, that England herself maintains them in Holland, and in various other countries, although no such treaty is in existence between them; and that, from time immemorial, commercial agents have been reciprocally admitted among all nations. Commerce and its respective agents are anterior to all treaties, whether of diplomacy or of commerce; and are, above all, independent of those very treaties. This, therefore, is not, as the King of England is pleased to assert, an "*extraordinary measure*" on the part of the French government.

"*There was, consequently, too much reason to* CONJECTURE," continues the declaration, "*that the real object of their mission was, by no means of a commercial nature; and this* SUSPICION *was confirmed, not only by the circumstance that some of them were* MILITARY MEN, *but by the actual discovery, that several of them were furnished with instructions to obtain the soundings of the harbours, and to procure military surveys of the places where it was intended they should reside. His Majesty represented to the French government the necessity of withdrawing them* *."

Here, then, we are favoured with *conjectures* and *suspicions*, as pretexts for the violation, with regard to our commercial agents, of the established law of nations! *Suspicions* and *conjectures* for the ground-work of a declaration of war!!! The reasoning, it must be confessed, is most clear and convincing; but let us enquire, for a moment, into the correctness of the facts? In the first place, the French government has dispatched no commercial agents into Great Britain, but with regular, formal instructions, similar to those which have invariably been given, from the ministry of Colbert to the present day. *Secondly*, the French government has distributed none of these commercial commissions to any "*military man*" whatever. To be convinced of the truth of the assertion, that none of the commercial envoys sent to England were "*military men*," an examination of the public printed list of the commercial agents will alone be sufficient. But, admitting that they had formerly been employed in the service of the army, if this circumstance be a motive for hostilities, how happens it that the King of England never thought proper to complain of the French ambassador, who was, at one and the same time, both a "*military man*" and an engineer? *Thirdly*, the whole commercial world knows, that Citizen Coquebert, the first who arrived in England on a mission similar to that of all the others, was extremely well received by the British government, and that his Majesty's ministers apparently beheld his arrival with satisfaction. With respect to the representation on the subject of the pretended mission for the purpose of "obtaining the soundings of the harbours, and procuring military surveys of the places where it was intended they should reside," was such a representation, we wish to ask, ever made to the French government? Without an answer to this query, we cannot seriously enter into a refutation of the charge; seeing that the soundings of harbours, and plans of fortified towns, are to be met with in publications, within the reach of every person, and that none of our commercial agents were dispatched to places of this description.

Nevertheless, his Britannic Majesty "*felt it to be his duty, to prevent their departure to*

* See p. 743.

* See p. 744.

their respective places of destination. It cannot be denied," he observes, "*that the circumstances under which they were sent, and the instructions which were given them, ought to be considered as decisive indications of the dispositions and intentions of the government by whom they were employed* *." Thus it is, that after the conclusion of a solemn treaty of peace, the English government has prevented the departure of the commercial agents of France to their respective places of destination (this open avowal of the infraction of the rights of peace and of reciprocity between two friendly nations is extremely curious); thus it is, that it interprets, at its pleasure, the instructions it supposes to have been given to these commercial agents, instructions which have nothing hostile or suspicious in them, but the false interpretations put upon them by the British government: thus it is, that this government, after having formed merely *conjectures* and *suspicions* as to the mission of these commercial envoys, suddenly considers the "*circumstance of the peace established at Amiens, and the instructions given to the commercial agents, as decisive indications of the dispositions and intentions of the government by whom they were employed:*" henceforth, therefore, the powers of Europe will no longer declare war upon grounds of aggression, upon acts of hostility, or upon self-evident facts. England opens to us a shorter course to the mad thirst of war. A new treatise on peace and war will speedily spring from the diplomatic heads of the cabinet of St. James's; and, in future, *conjectures*, upon *suspicions* of enmity, upon *indications*, upon *dispositions*, upon *intentions*, will the powers of Europe, in imitation of England, found their declarations of war. Former publicists have written merely upon positive facts, upon absolute acts of hostility; but the publicists of Westminster have established a new political code, and have given a far greater latitude to the chances of war, by establishing the benevolent system of *intentional* hostilities.

After the introduction of such a system into the politics of England, it is by no means surprising that the king should conclude, that "*the conduct of the French government, with respect to the commercial intercourse between the two countries is ill-suited to a state of peace* †." At what period, then, may we expect that England *will* consent to receive the commercial agents of France, since the moment of peace appears to her unfavourable to this species of relation? In a time of war a commercial intercourse would, certainly, not be agreeable to her: consequently no possible contact, whether commercial or political, can take place between the two countries, seeing that peace and war embrace all time. The British government, faithful to its blind and inveterate hatred, declares also, that "*the proceedings of the French, in the whole of their political relations, are altogether inconsistent with every principle of good faith, moderation, and justice* *." The King of England, then, imagines himself in the exclusive possession of these sublime virtues. He imagines himself the possessor of "*every principle of justice*"—by seizing, by force or by cunning, upon every thing suitable to his convenience, and by fancying, that every thing suitable to his convenience instantly becomes his property. He imagines himself the possessor of "*every principle of moderation,*" by granting to one of the greatest powers of the continent, the space of thirty-six hours, for the cession of Lampedosa, an island which does not belong to it, and for consenting to the usurpation of Malta, the property of the Order of St. John of Jerusalem and the Maltese! He imagines himself the possessor of "*every principle of good faith*"—by openly violating the treaty of Amiens, which engaged him to evacuate Malta in the space of three months, by presenting to Europe the example of a monarch, one day dispatching orders for the restitution of the Cape of Good Hope to the Dutch, by virtue of the treaty of Amiens, and the following day commanding the retention of it, in direct violation of the same treaty: a system of "justice," of "moderation," and of "good faith," scarcely to be met with among barbarians; a system which, happily, the moral code of Europe is, by no means, disposed to admit, and which all the naval forces and all the diplomatic quirks of the British government will never succeed in introducing among civilized nations.

3rd CHARGE. "*His Majesty had entertained hopes that he should have succeeded in bringing France to adopt a system of policy, which, if it had not inspired other powers with confidence, might, at least, have allayed their jealousies* †." But to what "system of policy" did the King of England hope to "bring the French government?" Was it to a system of apathy, which, throughout Europe, would have left peace or war, partition or boundary, commerce or destruction, industry or subjection, the examination of vessels in time of peace, and the destruction of the ports of the various states of the continent, entirely at the insolent disposal of Great Britain? Was it to a system of general disarming, of military abasement of spirit, of non-vigilance over our coasts and principal

* See p. 744. † Ibid.

* See p. 744. † Ibid.

towns? Was it to a system of hostility against our own customs, and of preference to British manufactures over those of our native country? Was it, in short, to a system of dissimulation in the non-execution of the treaty of Amiens, the tardy evacuation of Alexandria, the retention of the island of Malta, and of ambition secretly turned towards the two Sicilies? The King, it must be confessed, expresses himself feebly on these heads; his language is, nevertheless, perfectly intelligible. It is evident, that the British government still remember those *happy* times, when indolent sovereigns and venal ministers delivered over their deluded and vilified country, without opposition or remorse, into the hands of the British ministry. It is evident, that the King of England turns, with affliction, his tender regards to that fortunate period, when, by means of a few corrupt millions and diplomatic menaces, he exercised absolute controul over the politics and general direction of affairs in France. How unfortunate it is for the illustrious and pacific reign of George the Third, that he can no longer hope to behold one of his *honourable* commissaries, seated upon the ruins of Dunkirk, commanding the French, with the gold and the arrogance of his master, not to erect stone upon stone in the dishonoured fortifications of that port, as its existence endangered the security and repose of Great Britain!

But to enter into a more serious refutation of these charges. "*His Majesty had entertained hopes of bringing France to adopt a system of policy, which, if it had not inspired confidence, might at least have allayed their jealousies.*" Confidence apart, (since that is a sentiment which the King of England does not wish to inspire) which are these same powers, whose *jealousies* stood in such need of being *allayed*? Is it the Emperor of Russia, with whom France acted in concert, in the arrangement of the affairs of the Germanic body, and whose generous and pacific character has unceasingly led him to desire the tranquillity of Europe? Is it the King of Prussia, over whom the influence which France has obtained, by her victories and her justice, has nothing diminished of his rights and his political importance? Is it, lastly, the Emperor of Germany, he who has no longer any point of contact with France, and who, by the late treaties, has acquired a maritime existence and territorial concessions, in one of the finest portions of Italy?—Alas! so little does France distrust the justice and the friendly dispositions of these powers, so great in themselves, and so powerful from their enlightened policy, that the French government has repeatedly manifested its express wish, that the present discussions, and the motives for entering upon the present war, might be sovereignly decided, through their mediation. Is the English government able to say as much? Has that government, which speaks so loudly of the pretended "jealousy" of these powers, dared to discover the same confidence in their intervention? Has it not refused their justice, or eluded their mediation? Does it not rather perceive, that the jealousy of these powers is turned, with more justice, towards England herself, and that if, at any moment, they stand in need of encouragement, it is when they reflect upon the gigantic ambition, the secret views, the deceitful politics, and, above all, the presumption with which the British government arrogates to itself universal monarchy, general colonization, the tyranny of commerce, and the sovereignty of the seas? In vain does this Machiavellian government wish to turn aside the attention of the powers of Europe, by seeking to excite their jealousy against France. Never will those powers lose sight of the great CONTINENTAL interest: they feel that France exists but to preserve them from British piracies in the Mediterranean; that she extends her power over the shores of the west and the north, but to guarantee the commerce and industry of the continent from the ravages of British merchants. The ports of France are the bulwarks of Europe against the pirates of Great Britain; her armies are the dread of the *tyrant of the seas*: and if ever the scourge of English colonization should strike with slavery and desolation this beautiful and magnificent portion of Europe, it will not be till France shall have lost her political existence and her victorious armies. But what do I say? France is continental, populous, rich, powerful, enlightened, and governed by the genius of war, who arms but for general peace and universal commerce. And yet England,—her power factitious, her riches artificial, her government head-strong and ignorant, her politics venal, her colonies oppressed, her friends doubtful, her citizens discontented, her credit in danger, her administration overwhelmed with debts; still dares to violate treaties, and threaten the conquerors!!!

What an astonishing contrast! The King of England, nevertheless, ventures to declare, that "*if the French government had proved their dispositions to be essentially pacific, allowances would have been made for the situation in which a new government must be placed, after so dreadful and extensive a convulsion, as that which has been produced by the French revolution**." What does the King of England

* See p. 544.

understand by "*dispositions essentially pacific?*" Doubtless, that France and her allies should be left entirely unprepared, that we should no longer maintain forces sufficient to guarantee the security of the country, the English government secretly propose to attack or invade, that we leave her a free entrance into Holland, Switzerland, Piedmont, the Island of Elba, Naples, and the Sicilies, and that we should no longer possess the military means of forcing the power to execute a treaty, which, in signing it, had faithlessly premeditated its non-fulfilment. On such conditions of weakness and of inconceivable humiliation, would the King of England have consented "*to make allowances*" for the French government! Must then the French government be absolved in London for the crime of being victorious, powerful, and pacific, of being beloved by the nation, and of maintaining, with honour and courage, the majesty of the French people? Or rather, must it not retort upon the English government itself, this pretended "system of *violence*, *aggression*, and *aggrandizement*?" Was it not a system of *violence*, to refuse, in the midst of immense maritime preparations, to execute the treaty of Amiens, and forcibly to expel the Neapolitan garrison, which was never admitted into the forts, but sent back to Messina? Was it not a system of *aggrandizement*, to seize upon Malta in direct violation of the faith of treaties, and thus to domineer at pleasure over the whole commerce and navigation of the Mediterranean? And yet, the King of Great Britain, whose "system of violence and aggrandizement" is the sole cause of the renewal of hostilities, does not blush to prefer, still further, his charges against the French government!

"*They have continued*," he exclaims, "*to keep a French army in Holland against the will, and in defiance of the remonstrances of the Batavian Government, and in repugnance to treaties. They have, in a period of peace, invaded the territory, and violated the independence of the Swiss nation, in defiance of the treaty of Luneville. They have annexed to the dominions of France, Piedmont, Parma, Placentia, and the island of Elba, without allotting any provision to the King of Sardinia, whom they have despoiled of the most valuable part of his territory, though they were bound by a solemn engagement to the Emperor of Russia**."

This charge is as unfounded as the preceding ones. This we shall briefly endeavour to prove: 1st. *With respect to Holland:* At the moment of the King's Message, it was not known whether or not the Cape was evacuated, but it was positively known that Malta and Alexandria were not. The stay of the French troops in Holland was the necessary consequence of the garrisons which the English kept up, and were incessantly augmenting, at Malta. Besides, the stay of the French troops in Holland gave no offence to the Batavian government, whilst the reinforcement of the garrison of Malta, and the non-admission of the Neapolitan garrison into the forts of that island, discovered to Europe a project of ambition in the Mediterranean, and a premeditated violation of a solemn treaty of general peace.—If, by an article in the treaty of Amiens, France had been obligated to evacuate Holland, the non-execution of the conditions accepted by England, would have released her from her engagement. But so far is this from being the case, that the treaty of Amiens stipulates in no shape whatever, for the evacuation of Holland: France, nevertheless, concluded a treaty with Holland, in which she expressed her readiness to withdraw 3000 men who still remained there, the moment the execution of the treaty in the three quarters of the globe, and particularly the evacuation of the Cape, was known to have taken place. In addition to this, France has repeatedly declared, during the period of the late negotiations, her willingness to evacuate Holland, the instant the stipulations of the treaty of Amiens were completely fulfilled.

2nd. *With regard to Switzerland:* the French government engaged, in the treaty of Amiens, to evacuate the kingdom of Naples, and the states of the Pope; it did not engage to evacuate Switzerland. At the conclusion of the treaty of Amiens, there were no fewer than twelve thousand French troops in Helvetia! It is, therefore, untrue to assert, that since the signature of this treaty France "has invaded the territory of Switzerland." But, in framing the treaty of Luneville, it is not Switzerland that was acknowledged; it is the "*Helvetic Republic, one, and such as it existed at the signature of this treaty.*" France, from her territorial and political situation with Switzerland, possessed the natural obligation of retaining French troops in those unfortunate countries, in order to preserve them from the fatal influence of British agents, who poured into it their poison and their gold, and made it the receptacle of their arms and ammunition, their merchandize, and their abominable calumnies against France.—The Helvetic senate demanded, officially, the intervention of France, in order that a term might be put to their dreadful intestine commotions. It was, then, at the *express desire* of the Helvetic government, that France interfered in the unfortunate affairs of Helvetia. But why

* See p. 744.

was this republic necessitated to throw herself upon France? And why did France behold herself obliged to interfere? The King of England answers these questions himself, when he informs us, that "*measures were taken by him to ascertain the real situation and wishes of the Swiss Cantons.*" * Now, it was not the Swiss Cantons which were acknowledged at Luneville, but the Helvetic Republic, existing in a system of unity. Thus, then, while his Britannic Majesty was *generously* labouring to assist the Swiss Cantons, and to light up the torch of civil discord, it is he alone who has been endeavouring to destroy one of the stipulations of the treaty of Luneville. This avowal, on the part of the King of England, is extremely remarkable in the same manifesto, in which he complains, that France has appeased the civil dissensions which it was so much his interest to excite! —Switzerland, however, has at last arrived at a state of perfect tranquillity. The French troops, far from violating her independence, have secured to her repose, and her ancient constitutions; for she now enjoys the same system of government, as she possessed before the blow aimed at her existence by the Executive Directory, and has regained her ancient customs, her ancient manners, and her ancient federation. Such is the testimony which the powers bordering upon Switzerland have borne to the conduct of France. For the King of England tells us, with extreme candour, "*that having ascertained the sentiments of the other cabinets of Europe, he has learned, with the utmost regret, that none of the powers most immediately interested in preventing these repeated infractions of treaties and acts of violence, had manifested no disposition to counteract them*†." If, then, Austria herself, in spite of the instigations of the cabinet of London, does not conceive that France has committed "*acts of violence*," or "*infractions of treaties*," why has not this testimony of the "*cabinets the most immediately interested*," a testimony every way favourable to France, arrested the turbulent and insidious pen of the author of the Anglican manifesto?

3rd. The King of England is not a whit more correct in what concerns the "*union of Piedmont, Parma, Placentia, and the island of Elba, without allotting any provision to the King of Sardinia.*" From this expression in the royal declaration, one would be led to suppose, that, at the moment of signing the treaty of Amiens (Ventose, year 10), the King of Sardinia was still reigning at Turin. On the contrary, this Sovereign had lost Piedmont long before that period, which country was united and incorporated with France at the time of that treaty. The customs and national administrations were completely established, organized, and in full activity. This union was so evidently completed, and a diplomatic fact of such notoriety, that *at the conferences at Amiens, Lord Cornwallis offered to acknowledge Etruria, provided France would restore Piedmont to the King of Sardinia.* This proposition was, however, rejected. If, then, England, in the year 10, did not make the restitution of Piedmont one of the conditions of peace, on what ground does she make, in the year 11, the retention of Piedmont by France a ground of hostilities? This portion of the manifesto is as absurd and contradictory, as it is disgusting and contemptible.—To hear the complaints of England on the union of Piedmont to France, one would imagine his Britannic Majesty was touched with the most lively interest in favour of the King of Sardinia. But, no! He, apparently, manifested the same disposition at the framing of the treaty of Amiens. The French government proposed to him, to leave Ceylon to the Dutch, and in lieu of that island, to make such an arrangement in behalf of the King of Sardinia, as he might propose: but the King of Great Britain, who takes in the fate of all sovereigns, but a speculative and purely diplomatic interest, speedily declined the proposition; and the King of Sardinia saw himself abandoned by the very man, who has set himself up, in the present manifesto, for his ostensible defender.—Thus, then, since his Britannic Majesty has been unwilling to make any sacrifices for the King of Sardinia, *who, assuredly, lost his estates from his alliance with England*; or make any stipulation for him in the treaty of Amiens, why, from the present condition of that prince, conjure up a cause of complaint against the French government? We might, perhaps, be contented, as an equivalent for Piedmont, with the restitution of the estates of Tippoo Saib to his unfortunate children! But, the fact is, that when England spoke of the King of Sardinia in her *ultimatum*, she was told that the French government were extremely willing to treat upon that subject. Why, then, make a ground of war, of what was a proposed article of negotiation?

With respect to the island of Elba, Porto Ferrajo, the principal town was given up to France, in execution of the treaty of Amiens, *by the English garrison itself*; and the treaty existing between France and the King of Etruria was known to all Europe.

As to *Parma* and *Placentia*, it is not true that these countries are united to France.

With regard to the officious interest his Britannic Majesty is pleased to take in the completion of the engagements subsisting between France and Russia, we shall only observe, that France has proposed the mediation of

* See p. 745. † Ibid.

the Emperor of Russia on the different points in dispute, and that his Imperial Majesty will then decide which of the two powers has been the most equitable in this respect. Be it as it may; the stipulations which France may have made with the cabinet of St. Petersburgh, the cabinet of St. James's will not be called upon to execute. It is really a pity, that this latter cabinet does not endeavour to get rid of those notions of universal monarchy, and that rage for imagining itself the sovereign *director* of all the powers of Europe!

4th CHARGE. "*It was about this time*," says the royal manifesto, "*that the French government first distinctly advanced the principle, that his Majesty had no right to complain of the conduct, or to interfere with the proceedings of France, on any point which did not form a part of the stipulations of the treaty of Amiens, and the pretension to exclude his Majesty from any right to interfere with respect to the concerns of other powers.*"* On this subject his Majesty enters into a long, metaphysical discussion of the "*state of possession*, the *engagements existing at the time of the treaty of Amiens*," and concludes with invoking the "*general law of nations.*" —An imperious sentiment of indignation dictates various replies to these charges. *In the first place:* did the French government ever make use of these expressions? Have its ministers or ambassadors ever produced a single official note, or diplomatic paper, containing such propositions?—*Secondly*, if Great Britain takes upon herself to interfere in the concerns of Europe, she must, on her part, permit the continent to interfere in the concerns of India. If England will meddle with the affairs of continental Europe, she must not incessantly attack the rights of sovereignty and independance of other nations, by insulting their flag, by visiting their neutral vessels, and by arrogating to herself the intolerable pretension of exclusive supremacy over the seas.—*Thirdly*, the most recent facts contradict the assertion of the King of England. Has he not lately voted on the subject of the arrangements of the Germanic empire? He has not, then, been "prevented from interfering in the concerns of the continent."—*Fourthly*, if the French government had been desirous to exclude the King of England from all interference in the concerns of the continent, it could only have done so, in concert with all the other continental powers; and if this concert, which, one day, the ambition, arrogance, usurpation, and perfidy which characterize the operations of England, will render but too necessary, had already existed, from that moment her interference in the concerns of the continent would have been irrevocably interdicted.—The King of England has only set up this pretended charge because he feels, beforehand, the justice of such a measure, in the real interests of Europe. What powers are they, that would consent to commit their destiny into his hands? Is it the Emperor or Germany? No! for has not that prince been shamefully abandoned by the English government; he, who, for the interest of Great Britain alone, endangered his crown, and the security of his possessions? Did not the English government refuse its consent to a maritime armistice until the French army were at the very gates of Vienna? Has it not constantly paid with great irregularity the disastrous subsidies it had promised him? Similar to a vile usurer, has it not caused him to suffer immense losses in the *discount* and *exchange* of the sums it conveyed him? Certainly, if the English government were desirous of securing allies on the continent, it ought to have relinquished its desire of seizing, by the treaty of Amiens, on Ceylon and Trinidad, in order to obtain an increase of territory for Austria, which had suffered so heavily upon its account.—What, on the contrary, has been the conduct of the British government? It has abandoned the Emperor; it has *concluded a separate peace*, in which it has taken especial care to secure to itself an increase of territory, influence, and colonies.—Is it the Elector of Bavaria? No! for this prince forfeited the greater part of his estates in the service of the common cause; and Great Britain has taken no interest in its restitution.—Is it the King of Sardinia? Certainly not! for, to support the impious cause of England, it was, that he took part in a war which cost him Piedmont; and yet, the English government would not consent to make any sacrifice for the benefit of this unfortunate sovereign.—Is it the Emperor of Russia? No! for did not the English government atrociously sacrifice the Russian army in Holland? Did it not expose it, singly, to all the impetuosity of the French troops in the memorable battle of the Helder? Has it not so far carried its abandonment of the interests of a nation, which had voluntarily served in its cause, as to refuse to exchange the soldiers of the Emperor taken in that day's battle, against the French prisoners in England?—Is it the powers of the Baltic? No! for has not the English government repeatedly proclaimed its ambitious pretension, that it alone possesses the right of doing whatever it pleases upon the ocean, because its marine is the most powerful? Has it not repeatedly forfeited the good-will of these powers, by oppressing their maritime commerce, by threatening to make itself master of the Sound, by bombarding their capitals, and by alarming their cabinets? In recently giving

* See p. 745.

his vote in the House of Lords, did not a son of the King of England tear aside the political mask which still covered the extent of the atrocity of British ambition and British piracy? "I hope," said the Duke of Clarence, "that we shall shortly be in a situation to say to France, *you shall not have St. Domingo; you shall not have Louisiana;* to Spain, *you shall not have the Floridas;* and to all those who are protected by the all-powerful Consul, *you shall have nothing but what Great Britain pleases to let you have* *." This haughty and insulting language of the royal family is sufficiently clear, sufficiently stimulating for the powers of the north and south of Europe.

Thus, England, by her insolent egotism, her turbulent politics, her diplomatic tyranny, her boundless ambition, and her abominable perfidy, is alone driven from the continent, and excluded from interfering in the concerns of Europe. It is her violation of the laws of nations, and the faith of treaties, which has rendered her foreign and odious to the powers of the continent. It is her system of prohibition, her navigation act, her hire of battalions, her plan of corruption and venality, and her constant habit of treating with states and cabinets like avaricious merchants, disposing of their gold at the highest rate, and on the most burthensome conditions. Such is the *tutelar* government which proposes to us a "*state of possession*;" as if no change could take place in Europe without its interference and permission! Such is the *immutable* government which tells us of "engagements subsisting at the conclusion of the treaty;" as if the interests not specified in the treaty, might undergo no variation, but by its express permission! Such is the government *faithful* to the religion of treaties, which opposes to us the "*general law of nations!*" It well becomes you, violent usurper of the island of Malta, to speak of the "law of nations antecedent to all political agreements, and always superior to all treaties!" Has the treaty of Amiens been executed by England, or has it not? Has the island of Malta been evacuated, or has it not? Such are the questions of fact, presented to the view of all Europe. Neither the raving metaphysics of Mr. Pitt, the subtleties of the British cabinet, nor royal manifestos, can, in any degree, change the nature of this essential fact. Malta is not evacuated; this island is not restored to its masters; the Mediterranean is no longer free; and the commerce of all nations is in the hands of England.—Worthy ministers of the King of Great Britain! oppose to this sublime invocation of the "general law of nations," the arbitrary orders you have dispatched to your squadrons and battalions, to retain Malta, and to embark the Neapolitan garrison. Oppose to your moral dissertation on "that natural law which ought to regulate the conduct of all governments," the following expressions of Mr. Dundas; "under what point of view we consider Malta, we shall see, that it is to us a place of the last importance. I maintain that this island can no longer be restored to the Order of St. John of Jerusalem, and that *we ought to keep it for ourselves; we ought to keep it for our own interest as well as for that of the other powers; we ought to keep it, not only during the war, but in perpetuity: the war is undertaken for Malta, and Malta must henceforward belong to us for ever* *."—O! ye great politicians of Europe, ye statesmen of all nations, ye orators of all parliaments, ye publicists of all countries, humble yourselves before this sublime and consolatory creed of the British government—to seize upon whatever is convenient; to declare just all they can commit with impunity; to declare lawful property all they can obtain, by crimes, by violation of contracts, or by infraction of treaties! Such is the system of political morality acted upon by the King of Great Britain!

5th CHARGE. How has his Britannic Majesty been able to establish as a ground of war, "*his being* CALLED UPON *by the French government to evacuate the island of Malta*†? This assertion is altogether false. For though, by the 4th paragraph of the 10th article of the treaty of Amiens, the British troops were *to evacuate Malta in three months after the exchange of ratifications*, nevertheless, until the moment of the abrupt and inaccurate message to parliament, it did not appear that any demands had been made to engage the English government to evacuate Malta.—Is not this an evident proof of the patience and moderation of the French government? The intention of the powers concerned was, to constitute Malta independent, equally of France and of England. From this motive, so consolatory to all Europe, it was, that the treaty of Amiens, conformable in this respect to the preliminary negotiations carried on in London, imperiously enjoined the evacuation of Malta by the British troops, in the space of three months; nevertheless, it was not till the expiration of a year that France demanded the execution of the 10th article of the treaty. Idly does the English government descant upon "the abolition of various langues," the "diminution of the revenues of the order," and its inability to preserve the island independent. The treaty of Amiens has fore-

* See the Debates in Parliament on the 23d of May.

* See the Debates in Parliament on the 23d of May.

† See p. 746.

seen all, and refuted every objection, by the provisional establishment of the Neapolitan garrison, and the triple guarantee of the powers of the north. Thus, nothing can justify the violation of the treaty.

The independence of Malta is the basis agreed on by the powers concerned. The English government has, therefore, violated the treaty, usurped the territory of the island, destroyed its independence, and insulted all Europe, by its violent and prolonged retention, as well as by its refusal to evacuate a possession, which neither can nor must belong to it, if Europe wishes for security, justice, and commerce.—The whole of what the declaration asserts with respect to *the guarantee of Malta, which it pretends was refused by the Emperors of Germany and Russia, as well as by the King of Prussia*, are all equally untrue. The official papers lately published decidedly prove the very reverse. They shew that those powers did accept the guarantee of Malta; and that, after those guarantees had been obtained, and every obstacle removed, the English government still persisted in its refusal to evacuate Malta, by unveiling its formal intention of making the island the perpetual property of Great Britain.

With the same want of correctness, the declaration asserts, that "*since the conclusion of the treaty, the langues of Arragon and Castile have been separated from the order by Spain, and that part of the Italian langue has been abolished by the annexation of Piedmont and Parma to France* *." These langues have not been suppressed; but had the king's assertion been true, it would not have justified England in violating the treaty. The Pope has not yet declared himself on the measure taken by the King of Spain, and there was every reason for believing that an arrangement with his Catholic Majesty might have been easily obtained. As to Piedmont, the possessions of the Order of Malta in that country were disposed of five years ago. The possessions of the order in the Dutchy of Parma remain in their former situation.—But, says the King of England, in justification of his conduct, "*there is strong reason to believe that it has been in contemplation to sequestrate the property of the Bavarian langue, and the intention has been avowed of keeping the Russian langues within the dominions of the Emperor* †." This assertion is untrue. Neither the Russian nor Bavarian langues have been separated from the order; and France cannot have interfered in changes which have no existence.—Bavaria and all Germany well know, that, far from recommending the destruction of the German langues, the First Consul has exerted his powerful interference to procure them an increase of possessions.

Lastly; to retain Malta, there is no exertion, no stratagem, no subtlety, no species of imposition, that the English government does not make use of, when it puts into the mouth of his Majesty, "*that he was authorized in believing, that it was the determination of the French government to violate the articles of the treaty, stipulating the integrity of the Turkish empire, and the independence of the Ionian islands* *." If the independence of these islands of the Adriatic have been acknowledged by all powers, and if Russian garrisons have been kept in them for a certain period, it has solely been for the purpose of quieting the intestine divisions of those unhappy countries. The Emperor of Russia would, doubtless, have willingly evacuated them, if he had conceived that, in so doing, he could have prevented England from again disturbing the repose of the world, and the prosperity of nations.—The King of England grounds his declaration upon "*views*" and "*projects*," which he attributes to the French government, "*against the integrity of the Turkish empire, and the independence of the Ionian islands.*" But is it upon *views*, *projects*, and *suppositions*, that a wise government declares war against a powerful one? Is it in the face of enlightened Europe that the King of Great Britain has hoped to mask his ambition and want of fidelity, by attributing to the French government, which has stipulated for, and solemnly proclaimed to the world, *the guarantee of the integrity of the Ottoman empire*, the project of division or conquest? Is it by pretended conversations, that the English government are to be absolved for its non-fulfilment of the faith of treaties? Doubtless, no; and if, on the points in discussion, Europe were to deliver in her opinion, founded upon *ideas*, *views*, and *projects*, would she not decide against the English government? These *views* of partition, these *projects* of conquest, were they not clearly expressed in the delay of the British army in Egypt; a country, which it had engaged in the treaty to evacuate in three months? Were not these *views* and *projects* proclaimed to all Europe, by the conduct of England towards the Ottoman Porte, and by the just and extreme inquietude expressed by that power? Were not these *projects* confirmed by the engagements which had already taken place between the British troops and the Turkish army, by the correspondence between the British army and the Mamelukes, whom it

* See p. 747. † Ibid.

* See p. 748.

paid and supplied with ammunition of every kind; and, lastly, by the opinion of the Porte, "that the English were desirous of retaining *Suez and Alexandria as factories?*"

Thus, then, the project of oppressing the Ottoman empire has, indeed, been conceived; but it was by England, and not France. It is well known to all the cabinets of Europe, that previous to the evacuation of Egypt, the cabinet of London made repeated efforts with the Ottoman Porte, and with another power, to retain this province, the modern object of its restless ambition. The great importance it attaches to the retention of Malta unravels still more this ulterior project of maritime tyranny, and universal dominion.—If it is asked, why England places such vast importance in the possession of Malta, we answer—because she wishes to establish there a Levant Company; the Bombay of which would be Malta, and the pachas or beys of Egypt, Tripoly, Tunis, Candia, the Morea, Albania, Syria, Smyrna, &c. &c. its nabobs. They would be incited to revolt against the Porte, which would represent the Court of Delhi. Around all these beys and pachas would be placed agents. Money would be scattered in profusion; and every attempt to injure the commerce of France would be lavishly rewarded. Thus would France and Spain be entirely excluded from the trade of the Levant, and we should be told, that the navigation of those seas was the exclusive prerogative of the British Crown.—Thus, with the assistance of a single garrison, no great sums of money, and a series of intrigues, would England succeed in excluding all Europe from the commerce of the Black Sea, and the towns of the Levant. But this dishonourable thirst of gold will hasten the downfal of Great Britain.

6th CHARGE. We shall now proceed to refute the unjust inferences which the King of England is desirous of drawing from Colonel Sebastiani's report, and the communications of the First Consul with the legislative body and Lord Whitworth. These the King of Great Britain is pleased to call "*the repeated outrages which the French government have not ceased to offer to the British crown, and the British nation* *."—In the first place; it is rather curious that such a pretext of war should be urged by a government, which daily allows so many infamous libels and barefaced insults to be printed and published against the French government, and particularly against its first magistrate.—Does, then, the King of England wish to establish a censorship over every thing written and transacted in France? Is there, we ask, a single sitting of parliament in which ministers have not provoked France, by insults and outrages; now, upon the nature of her government, and now, upon the perpetual mistrust and jealousy with which they should watch her operations. Are not all their speeches so many philippics against her? And if the First Consul has said, that he had 50,000 men, was it not for the purpose of replying to that "*peace establishment*," which the British minister had announced, some months before, would be very considerable, and nearly approaching the military establishment in time of war?—A nation, which in its writings, and in the speeches of its orators, insults every other nation with which it is at peace, has founded four of its charges against France upon articles taken from gazettes and other publications!!—We shall not retail all that has been said, since the peace, by ministers, princes, and their most celebrated parliamentary speakers. It would be offering an insult to human nature, to imagine that we ought to discover a ground of war in objects, which, at the utmost, could only become the subject of a duel. And in this place, we feel ourselves obliged to say, that *it is a most severe misfortune for a nation to be governed by a* WEAK, IGNORANT, *and* INEFFICIENT MINISTRY.—Colonel Sebastiani's report * contains not a word against his Majesty's government, the British nation, or the British army. It attacks, it is true, a colonel of that nation; but what has an attack, made by an individual, to do with the important interests of the two governments of France and England? Is it permitted to insert in the balance of Europe the names even of all the English colonels, past, present, or to come? And ought Colonel Stuart to expect the high honour of being revenged by an European war for a few expressions uttered in Africa, and a few just replies to the insults offered to the hero and the army, which have defended the world by their victories, and filled it with their renown? What! may not a French officer reply to insults proffered by a British officer against the army and its chief, without entailing upon the injured country all the calamities of war? To what, then, is this official recrimination reduced? The affair of Colonels Sebastiani and Stuart is purely *personal*, and, consequently, cannot become *national*: the laws of honour, and military usage, have sufficiently provided for such occurrences. But, does it become the King of England to complain, even diplomatically, of the answer given by Colonel Sebastiani to the charges brought against Bonaparte and the French

* See p. 748.

* See p. 215 of the present vol.

army, by a British officer, in a publication in which he accuses Bonaparte of having poisoned his army; a publication, which his Majesty has been pleased to receive with his own hands? Did not Colonel Sebastiani defend his own life against this English officer, who chose, the moment in which the former arrived at Cairo, to accuse him before the pacha, by sending him a letter, to which was joined an order of the day, issued by the First Consul, when he commanded in Egypt *? Alas! if satisfactions of this sort were to be demanded, they might with justice have been demanded against the odious conduct of an English general, who endeavoured to procure the assassination of a French officer, by devoting him to the poignards of the Turks. We shall hereafter enter into the detail of this transaction, as it is essential to prove to Europe the ridiculous injustice of the complaints of his Britannic Majesty. Besides, nothing can be too minute, when connected with the rights of humanity. The King of England, ever ingenious in seeking for outrages to fill up his manifesto, discovers a fresh theme of complaint in the *communication of the* FIRST CONSUL *to the legislative body* †. It is in that part of it, where Bonaparte, in according with all the great politicians and generals of Europe, proclaims this great truth, *that England, single-handed, is no longer able to contend against France* ‡. But this is neither a challenge, nor a vain boast. In this expression of a great general, and an enlightened statesman, we discover only profound views, and important political conclusions. When the First Consul, after presenting to the legislative body the situation of the several powers of Europe, describes Great Britain as *no longer able to contend single-handed against France*, he only draws from it a conclusion favourable to general pacification. Besides, does not England possess her Duke of Clarence to guard her from every attack on the part of France? "*I desire,*" said this prince most eloquently, "*I desire to see the French nation employ its vast resources, to convince this powerful Consul, that we are capable of contending single-handed against France, and against all those that may join her. I desire to see Great Britain chastise France; it will not be the first time she has done so.*"—No! France does not consider this language of the Duke of Clarence an outrage against her. Victorious over all coalitions, triumphant over all the crimes and intrigues paid for by British gold, she cannot conceive herself wounded by the contemptible rodomontades of a young lord, who fancies that France can be chastised in the same manner as France formerly chastised the Duke of York and his soldiers at Honscole, and on the downs of Dunkirk. It well becomes a young English prince to brave thus the warlike spirit of France, at the moment when she has scarcely laid down her victorious arms, at the moment when the star of Albion grows pale, when her national debt threatens to swallow up all her riches, when oppressed India approaches even nearer the verge of revolution than humiliated Ireland, when liberty is preparing the expulsion of the English from the Antilles, when continental Europe, at length alive to her real interests, beholds with joy the approaching destruction of the trident which sways the subjugated universe. Has this young prince forgotten those lessons of experience, for which England has paid so dear? Does he not know that FORTY-FIVE descents upon this same Great Britain have been successful? Does he not know that a handful of Normans were sufficient to chastise England, and dictate to her the law.

The communications made by the First Consul to the legislative body are, then, no more insults upon the English government, than are his communications with Lord Whitworth. *In the first place*, it is certain that this conversation, the details of which this ambassador transmitted to his government, is false in its principal parts; it has been formally contradicted in the official journal*. Besides, what the First Consul really did say, he had previously said in his message to the legislative body a few days before: "The Ottoman empire is crumbling on all sides, but it is the interest of France to uphold it." *Secondly:* it is published by a government, convicted of having changed, mutilated, and shamefully falsified the most important parts of the official negotiations, lately printed and laid before parliament. *Thirdly:* when the First Consul expressed a wish to indulge Lord Whitworth with a private interview, it was not, assuredly, to furnish the Machiavelian government of London with weapons against himself, but purely to convince the English ambassador of his real views, his moderate sentiments, and the love of peace by which the French government was actuated.—*Lastly*, could it be imagined that there existed a government, established for more than a century, renowned for its political skill, and the regularity of its diplomatic proceedings, that does not blush to ground a declaration of war upon *views, ideas, indications, suspicions*, and *conjectures*; upon fugitive conversations, incorrectly stated, as well as incorrectly interpreted?—It is, nevertheless, upon another conversation of the First Consul with Lord

* See p. 220. † See p. 306. ‡ See p. 375.

* See the French State Papers on the Negotiation.

Whitworth, in the presence of the diplomatic body, that his Majesty wishes to found a fresh example of provocation on the part of the French government; as if, on the day when the first message of the King of England was known at Paris, it were possible for a first magistrate, whose every action is dictated by honour and truth, could so far contain himself as to dissemble the profound indignation which falsehood and want of fidelity must ever inspire. If we consider the situation in which he found himself placed, the conduct of the First Consul was extremely moderate; he discovered on the occasion the energy of his mind, and his sincere love of peace. After a message so insulting to the French nation, after a message founded upon too evident untruths, after a message falsely announcing that "*very considerable preparations were carrying on in the ports of France, and that discussions of great importance were subsisting between the two governments**," there is no power, no government, that would not have broken off all communication with a power, capable of rekindling the torch of war by such unfounded assertions.

How could the King of England present also to his parliament, as a legitimate ground of war, a *Hamburgh paper*†, containing a pretended article inserted by the interference of the French minister, "*propagating*," according to his opinion, "*the most offensive and unfounded calumnies against his Majesty and his government*‡." His Britannic Majesty, in preferring such a charge, must have imagined that a French commissary would not have been permitted to shew to the world, that his Majesty has been induced, by his wise and able ministry, to communicate to the English nation two most revolting falsehoods, in his first message to parliament; that "considerable preparations were carrying on in the ports of France," and that "discussions of great importance were subsisting between the two governments." If to prove the evident fallacy of these two assertions be to insult his Majesty, and calumniate his government, what must we say of that mass of scandalous libels, of gross insults, and bitter calumnies, which daily appear in the English journals under the authority of the King and his ministers; journals which have inundated Europe, and insulted, principally since the conclusion of peace, the honourable head of the French government? What name can we give to a system of government, which declares inviolable, or rather unpunishable, these periodical calumniators, provided they asperse the governors of other nations, and incessantly labour to decry the governments of other countries? provided they carry on a vile and disgraceful warfare against all the great men and enlightened governments, unwilling to acknowledge the universal supremacy of England, or humble themselves before the super-eminent abilities of her prudent and sagacious ministers?

"*For the purpose of degrading, vilifying, and insulting his Majesty and his government*," continues the Royal Declaration, "*the French government has repeatedly called upon him, to violate the laws of hospitality, with respect to persons who had found an asylum within his dominions, and against whose conduct no charge whatever has at any time been substantiated**." One must be totally unsupplied with reasons, or extremely blind in its hatred, to present similar grounds of war; for it will scarcely be credited, that this government, which now complains, that the French government called upon it, in the name of justice and of general security, to remove to a distance a few poisoners, assassins, and hired calumniators, shamefully protected in the British islands, is the same government which *proposed to France the banishment of those very wretches, in return for the occupation of Malta for ten years.* If, then, France would have consented to violate a treaty, England would have consented to "violate the laws of hospitality." If France had been willing to abandon to the English the commerce of all nations, Great Britain, grateful for the favour, would have consented to transport a handful of abandoned miscreants. But France refused to subject the navigation of the Mediterranean; and these acknowledged malefactors instantly became, in the estimation of Great Britain, men of irreproachable lives, against whom she cannot "violate the laws of hospitality." Such is the government which boasts of its morality, moderation, and justice, and which complains of calumnies, insults, and provocations! Such are its noble and generous motives for rekindling the torch of war throughout all Europe!—A few bales of merchandize not freely received into France, while the English repel from their country our territorial productions;—a few commercial agents, obtaining the soundings of harbours, and military surveys of towns, printed and to be procured every where, while we receive without suspicion the thousands of English who visit us;—a few Swiss cantons, which France has not wished to see torn to pieces by internal dissentions, nor invaded by foreign wars, while the English sent into it emissaries, arms, ammunitions, and plans of civil extermination; —a few French troops stationed in Holland, while the English organized secret plans of

* See p. 403. † See p. 527. ‡ See p. 749.

* See p. 749.

ambition upon this country and its colonies; —a few invitations to the English to evacuate Malta, in execution of the treaty of Amiens, while they complained in their journals, that France would not execute it on her part;—a few *ideas* or *suspicions* that France still coveted Egypt and the Ionian islands, while the English left their troops in Alexandria for twelve months after the treaty of Amiens, and would not evacuate Malta;—a few conversations incorrectly stated, and faithlessly interpreted, while the English in their journals incessantly insulted France and the chief of its government. Such are the weighty and legitimate causes of the present "*just* and *necessary* war;" causes officially laid before the nation by his Britannic Majesty, who declares, at the close of his manifesto, that "*he is solely actuated by a sense of what is due to the honour of his crown, and the interests of his people; and by an anxious desire to obstruct the farther progress of a system, which, if not resisted, may prove fatal to every part of the civilized world**." King of Great Britain! You speak of *the honour of your crown* in declaring a new war; but you are silent on *the honour of your royal word* in maintaining a solemn treaty of peace! You are penetrated for the *interests of your people*, who could not contain their joy when you signed the peace, and you invoke the interests of the same people, when your declaration of war saddens all the reflecting and industrious classes of your subjects! You speak of the desire of *obstructing the farther progress of a system which may prove fatal to every part of the civilized world*, and the better to civilize the world, you restore to it all the calamities of war! Alas! of what system do you speak? Of that system of *power*, *dominion*, and *aggrandizement*, of which your ministerial orators incessantly accuse France, to conceal from the eyes of all nations the colossal power, the insatiable ambition, and the perpetual aggrandizement of England? Would you speak of the energy, the ambition, and the vast political views of the First Consul, whom your journalists and diplomatists are incessantly striving to injure in the estimation of other governments? But let your periodical libellists, your orators, and your diplomatic men revile, as much as they please, a life so glorious, and a government so energetic; let them, in their unjust and contumelious language, call the dignity with which they charge the French government *pride*; its immoveable career in well-doing, *stubbornness*; its profound energy of execution, *severity*; its avowed determination never to suffer the French nation to be insulted *arrogance*; its views for the defence and security of the south of Europe, *ambition*; such censures will never convince the world that genius is not genius; that to desire peace by every species of sacrifice is not an unalterable love of humanity; that to resist the invasions and perfidies of the English is not to defend its country, and to uphold Europe; but will prove only, that the benevolent and peaceable views of Bonaparte have been equally misunderstood and calumniated at Windsor, and in the halls of Westminster. But before what tribunal must such questions be decided? Before the tribunal of all Europe, and of posterity, will the French republic denounce Great Britain. What an important cause, in which the blessings of peace and the calamities of war are hung in the balance; in which the parties are two powerful governments, and the whole world their tribunal! on which side, then, is the spirit of ambition, aggrandizement, aggression and universal pre-eminence?

France, by the success of her arms, had acquired possession of all the countries, from the North Sea to the Adriatic, and from the Danube to the canal of Messina. What has she done for the sake of general peace?—She restores Batavia to herself; she restores Switzerland to her independence and her ancient constitutions; she cedes the Venetian countries to Austria; territorial indemnities are allotted to the electors of the Germanic body; the Venetian islands regulate their government under the influence of Russia and the Porte; Italy beholds the establishment of the Luccese, the Italian and Ligurian republics; the French troops evacuate the states of the Pope and the kingdom of Naples; Etruria receives a king; the French army at the gates of Vienna, return to the left bank of the Rhine; and Portugal is evacuated, and restored to her former independence.—Alas! if France had entertained projects of ambition, and views of aggrandizement, would she not have preserved Italy entire, under her direct influence? Would she not have extended her dominion over Batavia, Switzerland, and Portugal? Instead of this easy aggrandizement, she presents a wise limitation of her territory and her power; she suffers the loss of the immense territory of St. Domingo, as well as the treasures and armies destined for the restoration of that colony;—she makes every sacrifice to obtain the continuance of peace.

England, on the contrary, seizes upon the opulent island of Ceylon, and the entire navigation of the gulph of Bengal; she obtains the important possession of Trinidad; she essays, by a secret treaty with the Mamelukes, to invade Egypt, by supplying them with arms and ammunition; she remains in Alexandria long after the time appointed for

* See p. 750.

its evacuation, and only abandons it because the ravages of the plague began to terrify her; she violates the treaty of Amiens in order to retain Malta, to direct the operations of the barbarous corsairs, to carry on the exclusive commerce of the Adriatic, the Levant, the Dardanelles, and the Black Sea, and to shut up from all nations the navigation of the Mediterranean; she unites her efforts to prevent France from retaining St. Domingo*, and enjoying Louisiana; she excites dissensions in the Swiss Cantons, and furnishes arms and ammunition for their civil extermination; she sends squadrons into the North Seas, and before the Texe. and the Meuse, threatening to invade Batavia; she covets the possession of Sicily, demands the island of Lampedosa, and occupies Sardinia. The four quarters of the globe, gulphs, capes, straits, opulent colonies, nothing can satisfy her political and commercial cupidity. The extent of her avarice and ambition is at length discovered. The mask falls, England assigns but thirty-six hours for the continuance of peace. She has speculated on a sudden war, for the purpose of seizing, at once, upon the riches deposited on the ocean, which the Spanish, Portugueze, and Batavian colonies were at last sending to their mother countries, as well as upon the ships of the French republic, and the vessels of her scarcely revived commerce. England, at the will of a few hateful and powerful passions, disturbs the tranquillity of the world, violates, without shame, the rights of nations, tramples under foot the most solemn treaties, and falsifies the sworn faith of governments; that ancient and eternal faith, which even savage hordes acknowledge, and religiously respect.—One obstacle only arrests the progress of her ambitious career; it is France victorious, moderate, and prosperous; it is her energetic and enlightened government; it is her illustrious and magnanimous chief. These are the objects of her delirious envy, her reiterated attacks, her implacable hatred, her diplomatic intrigues, her maritime conspiracies, and her official denunciations. But Europe beholds; France prepares for battle; history relates—that ROME OVERTHREW CARTHAGE.

* According to the Duke of Clarence (debate of the 23d of May), it is *to the exertions of Great Britain that France may attribute the loss of St. Domingo.*

DECLARATION OF THE KING OF ENGLAND, ACCOMPANIED WITH OBSERVATIONS.

[*From the Moniteur of the 12th of June*, 1803.]

DECLARATIONS of war, we well know, are neither appeals to reason, nor to justice. In instruments of this nature, it is not uncommon to discover among the alledged motives of hostility, a variety of charges more or less hazarded; injuries are carried to extremes, complaints are exaggerated, and a strong colouring is given to facts, for the purpose of encreasing their general effect. We, nevertheless, are induced to believe, that in no public paper, made sacred by the name of a King, have been ever collected together a greater number of assertions authentically false, of improbable accusations, and of forced conclusions, than are to be met with in all the pages of the long Declaration of the King of England; a translation of which we herewith present our readers.—Were history supplied with no other data, by which she might enlighten posterity as to the real causes of the passing events, than the papers called in to support the allegations of this manifesto, they would alone be sufficient to teach her, and, through her, to teach future ages, what have been the gravity and the vast importance of the engagements entered into and broken, and to whom this violation of the sworn faith of nations ought to be attributed. Yes; this collection, which the British government have thought necessary to their justification, will rise up in judgment against them, and convict them of all those acts of injustice, with which they are now desirous to load France.—It is our intention to follow them in an examination of their charges, and a developement of their anterior operations. We shall successively examine the royal Declaration, the official notes of the ministers, and the correspondence of their agents, and shall arrest the attention of the reader, not upon all, but upon the most palpable proofs which the English government, by the publication of these papers, have themselves given us, of their perfidy, their political incapacity, and their abominable duplicity. And if, among the readers of these observations, any should be found who consider our conclusions too severe, let them turn their views to the future, let them behold in perspective the accumulated ills which may, and which must result, from the present war—commerce pursued on the ocean, disorganized on the continent; the chain of its connection broken, its activity paralyzed, towns destroyed, countries ravaged, shores stained with blood; and, lastly, two nations, nearly disabled from

injuring each other by the means of accustomed hostilities, forced, in order to obtain the object of war, to concert and to execute against each other enterprizes of the most extraordinary nature. .....! At such a prospect, every friend of humanity must, indeed, shudder with horror! At a prospect so dreadful, yet so hastily approaching, where is the man, however insensible, that can withhold a sentiment of the deepest indignation against the abused or perverted government, which, after resolving upon a measure from whence may arise the severest calamities to nations and to ages, expects to screen itself from the judgment of its contemporaries, by propping the grounds of its decisions on falsehood and imposture?—But, if insulted humanity authorizes in her name, and for her defence, the language of just reprobation, the interests of truth demand no less a calm and temperate refutation. A few plain but positive notes, subjoined to the declaration and correspondence of his Britannic Majesty's ministers, will be altogether sufficient for this purpose.—England has declared war because she desired it; and because she stood in need of charges, she has fabricated them. Had France been desirous of doing the same, had she wished to found them on facts collected and transmitted by her diplomatic agents, we should have seen grounds of complaint far different from those now urged by Great Britain; but the French government has already declared its opinion, that what ought only to become the subject of a duel, cannot constitute the grounds of a war. France beholds herself dragged into the contest, not from motives of her own choice, nor for objects, on the possession of which she has already determined: she is not even at war for the evacuation of Malta, but solely for the purpose of repelling an unjust aggression.—The whole explanation of the conduct of France is included in this single proposition: the French government *has incessantly discovered, and proved its desire of coming to a good understanding on every point in dispute—nevertheless, France has been attacked.*—We shall now see in what manner the English government explains, and defends its conduct.

(1.) "His Majesty's earnest endeavours for "the preservation of peace having failed of "success, he entertains the fullest confidence "that he shall receive the same support from "his parliament, and that the same zeal and "spirit will be manifested by his people, "which he has experienced on every occasion "when the honour of his crown has been "attacked, or the essential interests of his "dominions have been endangered."

The discussions between France and England commenced on the 8th of March, the epoch of the King's message. The first act, constituting on the part of England a state of negotiation, is Lord Hawkesbury's letter of the 15th of March. From the period of this note to the 7th of April, the French minister received three laconic notes, two of which were upon points of inferior importance. On the 7th of April, Lord Whitworth announced the alternative of his departure.—*His Majesty's earnest endeavours*, therefore, *for the preservation of peace* are reduced to a vague and indolent negotiation, which, from the twenty first day, cast off even the appearance of pacific dispositions. In a fortnight after, the English ambassador peremptorily demands his passports, and in the course of another fortnight quits France. Such have been *his Majesty's earnest endeavours for the preservation of peace!*—We shall make no reflections on the remaining part of the introductory paragraph. The *zeal and spirit manifested by his people*, the *attack on the honour of his crown*, and the *dangers with which his dominions have been threatened*, are the mere trappings of speech, and falsehoods set down "according to due form and order."

(2.) "During the whole course of the ne- "gotiations which led to the preliminary and "definitive treaties of peace between his Ma- "jesty and the French republic, it was his "Majesty's sincere desire, not only to put an "end to the hostilities which subsisted between "the two countries, but to adopt such mea- "sures, and to concur in such propositions, "as might most effectually contribute to con- "solidate the general tranquillity of Europe.— "The same motives by which his Majesty was "actuated during the negotiations for peace, "have since invariably governed his conduct. "As soon as the treaty of Amiens was con- "cluded, his Majesty's courts were open to "the people of France for every purpose of "legal redress; all sequestrations were taken "off their property; all prohibitions on their "trade, which had been imposed during the "war, were removed, and they were placed, "in every respect, on the same footing with "regard to commerce and intercourse, as the "inhabitants of any other state in amity with "his Majesty, with which there existed no "treaty of commerce."

These two paragraphs are connected together: the first is an eulogium on the justice of his Britannic Majesty, who has had the generosity, since the peace, to place Frenchmen on a footing with the inhabitants of Bremen, Lubeck, Leipsic, and Frankfort. On the tardiness of their courts of justice, the chicanery of their lawyers, and the repugnancy of English debtors to settle their accounts, the government of the republic has not deemed it proper to publish the complaints it has received on the part of French creditors. It concluded that charges of this nature might arise from impatience, exaggeration, and, in some instances, from injustice;

but from the perfect equity of its own intentions, and *the silence of the British ambassador on this head of complaint*, it had a right to conclude, that it could not be made the article of a manifesto.—Thus, the assertion of the British government, with respect to "*the repeated representations made by his Majesty's ambassador*," is totally unfounded. The French collection of official papers proves that no remonstrance on this subject was ever presented, and the English collection does not afford us a single complaint or procedure of this kind; but, since the English government were resolved upon making a political charge of this pretended non-success of the representations made by their ministers, it is rather surprising, in a collection so arbitrarily compiled, digested at leisure, and arranged according to the good inclination of those by whom it was published, that no real, or pretended letter, signed Hawkesbury, Merry, or Whitworth, should make its appearance in support of the royal allegation.—The assertion that "acts of violence have been offered to the property and vessels of his Majesty's subjects," is equally false: and here, if the simple denial of a charge, hazarded at random, did not carry its conviction with it, the shameful embarrassment betrayed by the English ministry when they were called on, in the early part of the present sittings of parliament, to produce proofs and specify facts, would alone render every developement on this head altogether superfluous.

(3.) "To a system of conduct thus open, "liberal, and friendly, the proceedings of the "French government afford the most striking "contrast. The prohibitions which had been "placed on the commerce of his Majesty's "subjects during the war, have been enforced "with encreased strictness and severity; violence has been offered in several instances "to their vessels and their property; and, in "no case, has justice been afforded to those "who may have been aggrieved in consequence of such acts, nor has any satisfactory "answer been given to the repeated representations made by his Majesty's ministers or "ambassador at Paris. Under such circumstances, when his Majesty's subjects were "not suffered to enjoy the common advantages of peace within the territories of the "French republic, and the countries dependent upon it, the French government had recourse to the extraordinary measure of sending over to this country a number of persons "for the professed purpose of residing in the "most considerable sea-port towns of Great "Britain and Ireland, in the character of commercial agents or consuls. These persons "could have no pretensions to be acknowledged in that character, as the right of being "so acknowledged, as well as all the privileges attached to such a situation, could only "be derived from a commercial treaty; and "as no treaty of that description was in existence between his Majesty and the French "republic."

On this point, the ministers of his Britannic Majesty are explicit, beyond what we had a right to expect from their known prudence. A peace without a treaty of commerce, a peace without unlimited freedom in the consumption of their produce; a peace, in short, which does not leave them the exclusive privilege of introducing every where the fruits of their industry, and of proscribing at home the industry of other countries, is no peace at all. We must either renounce the right to establish custom-houses, and encourage national manufactures, or declare war!—This doctrine is, indeed, strange. What! are there no general laws of commerce? Can we have no trade with England without a commercial treaty? Can we not employ commercial agents, unless we have especial commercial stipulations? Well! be it so; let us have no commercial agents in England? But why must England possess the right of interdicting all access to her ports, and why may not France exercise the same right at the entrance of her own territory? Why, in this as well as in every thing else, should not reciprocity be the rule admitted and acknowledged between two rival nations? Who forbids you to proscribe the consumption of French produce? And what power on earth can compel us to consume the productions of England? Is it not the height of presumption to say to us: "unless the peace is alone profitable to our industry, we will break it; you shall either leave French industry to languish and perish, or we will arm in defence of the industry of England; in short you shall either pay dearly for the labour of our manufactures, or you shall have war."—In avowing so openly this insolent and tyrannical doctrine, we know not whether the object of the British government be to render the war they are about to commence popular in England. If such should be their intention, and if, by this means, they should succeed in attaining that object, it will then be for the powers of the continent to determine what degree of importance is attached in England to the opinions, the rights, and the interests of those nations, which have not the happiness to trade and navigate under the flag and protection of the British government. It will then be for them to decide, whether the war now commenced by England against France, like all those she has waged for a century past, be not the necessary and inevitable consequence of a system, uniformly hostile, on the part of English industry, to the industry of all other nations.—If the motive above given should be that by which the British government is actuated, the future question between England and Europe may be reduced to this double alternative: If Eng-

land possesses public spirit, and Europe should be destitute of that spirit, woe to Europe!—But should Europe prove not destitute of public spirit,—if the English government should not succeed in making the present war popular, woe to that government!—if it should succeed in making it popular, woe to England!

(4.) "There was consequently too much "reason to suppose, that the real object of "their mission was by no means of a com- "mercial nature, and this suspicion was con- "firmed, not only by the circumstance that "some of them were military men, but by "the actual discovery, that several of them "were furnished with instructions to obtain "the soundings of the harbours, and to pro- "cure military surveys of the places where it "was intended they should reside. His Ma- "jesty felt it to be his duty to prevent their "departure to their respective places of des- "tination, and represented to the French go- "vernment the necessity of withdrawing "them; and it cannot be denied, that the "circumstances under which they were sent, "and the instructions which were given to "them, ought to be considered as decisive "indications of the dispositions and intentions "of the government by whom they were em- "ployed."

The English ministers brave ridicule with a degree of hardihood altogether unparalleled. The French government dispatched into England, as it has done into every part of the globe a certain number of commercial commissioners. Out of eighty agents of this description, whom the republic maintains in foreign countries, several of them have served either in the last war, or in preceding ones. It was discovered, that among the number of those appointed for England, *one* had served in the armies of the republic; and instantly a cabinet alarm multiplies the number of these military agents of France, as the appearance of a *few* fishermen was formerly multiplied into the advanced guard of a fleet destined to make a descent, and spread terror throughout the whole country. This foolish exaggeration might, without any great impropriety, have made its appearance in an English newspaper, but to introduce it into a royal manifesto, was, in our opinion, contrary to all decency.—The second subject of alarm to the British ministry is still more ridiculous. A few questions to be answered, on the state of commerce, such as might have appeared in a public journal, were addressed to a commissary of the republic. For more than one hundred and fifty years this series of questions has formed part of the patent instructions of the commercial agents of France. So little were they calculated to excite distrust, that those agents transmitted them to the sub-agents of the district in which they resided, who frequently were merchants entirely independent of France. In short, these instructions, put together with no other view but that of obtaining such information as it was the interest of those very places to extend and propagate as much as possible, are written and addressed without any mysterious form, and it is thus that they have traversed Europe in ostensible characters. It is then through the medium of the post-office that this grand secret has been brought to light; and, after all the outcry which has been raised against these instructions, it appears to us, that nothing has been proved, but that the sanctity of correspondence is not religiously respected at the post-offices of England, and that letters are opened by the agents of government.—For the rest, we cannot but applaud the prudence of his Britannic Majesty, in not permitting these French agents to repair to their respective places of destination, since, on the faith of the alarms of his cabinet, they would have been taken for military men, and had they been suffered to proceed, would certainly have dispatched to their government extracts from journals and almanacks, on the balance of exports and imports, on the banks and commercial houses, the duties of tonnage, and other mysteries of equal importance.

(5.) "The conduct of the French govern- "ment, with respect to the commercial inter- "course between the two countries, must "therefore be considered as ill suited to a state "of peace, and their proceedings in their "more general political relations, as well as "in those which immediately concern his "Majesty's dominions, appear to have been "altogether inconsistent with every principle "of good faith, moderation, and justice. His "Majesty has entertained hopes, in conse- "quence of the repeated assurances and pro- "fessions of the French government, that "they might have been induced to adopt a "system of policy, which, if it had not in- "spired other powers with confidence, might "at least have allayed their jealousies. If the "French government had really appeared to "be actuated by a due attention to such a sys- "tem; if their dispositions had proved to be "essentially pacific, allowances would have "been made for the situation in which a new "government must be placed after so dread- "ful and extensive a convulsion as that which "has been produced by the French revo- "lution."

It is difficult to discover the real intention of the ministry in making this observation. Did it wish to point to the recent origin of the French government? Certainly, it is not without reason that it seeks to recall the recollection of the past; for it is so completely lost in the blaze of glory which has signalized the birth of this government, and in the noble train of power, of energy, of wisdom, and of dignity which followed, that the respect and love we bear towards it is confounded, in the imagination of the people, with sentiments confirmed by habit, and

transmitted by long tradition. There is one expression in this paragraph, the arrogance of which is so excessively ridiculous, that it does not even excite our indignation. The word *allowance* in English is nearly equivalent to *indulgence*; and it results from this sense of the expression, which is but a very slight equivoque, that the government of his Britannic Majesty, on certain conditions which it takes the trouble to point out, was disposed to judge without rigour, and to excuse with goodness, the government of the French republic. What magnanimous condescension! The English government would have pardoned France! And what would it have pardoned? Its vigilance, its greatness, its glory? This we can with difficulty believe. But for what consideration would it have shewn so much indulgence in favour of the recent existence of the French government? This consideration deserves to be weighed.—The English government is of no great antiquity; and if it be true that princes can only be naturalized by glory, it may be permitted us to ask, whether the branch of the House of Brunswick, now reigning in England, is not yet foreign? It may be permitted us to ask, what it has done to confirm and establish its naturalization? It is rather a doubtful point whether, at a future period, the difference of date between the accession of George the First, King of Great Britain, and the election of Bonaparte, called by the French people to be First Consul of France, will cause any great sensation in the festivals of Europe. There is, indeed, an interval between these two epochs; but the learned men of future ages will, with difficulty, unravel to posterity the precise manner in which the princes of the House of Hanover passed their time during that interval.

(6.) "But his Majesty has unfortunately had "too much reason to observe and to lament, "that the system of violence, aggression, and "aggrandizement, which characterized the "proceedings of the different governments of "France during the war, has been continued "with as little disguise since its termination."

This accusation of violence and ambition, directed against all the governments which have existed in France since the revolution, the affectation of not wishing to make any distinction, together with the naked and indeterminate comparison between the government of the First Consul and all those which preceded it, afford sufficient reason to believe, that the British government has been no stranger to the system of offence and insult, employed with the most virulent perseverance, by the English journalists during the short interval of peace. Since it now copies these very insults, have we not a right to conclude, that while it was constrained to behave with decency towards us, it secretly dictated to these periodical writers the outrages which now, only, it dares openly to avow?

(7.) "They have continued to keep a "French army in Holland against the will, "and in defiance of the remonstrances of the "Batavian government, and in repugnance to "the letter of three solemn treaties."

The French army has not continued in Holland in defiance of stipulations, but in conformity to the stipulations of a treaty with the government of that republic. Must the notions transmitted by the English cabinet to parliament infringe upon engagements consented to, in order to make known the real intentions of a government? And these notions, all insufficient, all uncertain as they appear to be, on what are they founded? From what source have they reached the British government? By whom have ministers been informed, that there were no stipulations between France and Holland? These questions have been addressed to them in parliament, and they have eluded a reply; nor could they produce a single dispatch from their minister. We shall nevertheless see, in the course of our examination of the official papers, that they are not sparing of their dispatches, and that, in a case of necessity, they know how to arrange them according to their views, when they find in them disclosures which they deem it their interest to suppress.

(8.) "They have, in a period of peace, "invaded the territory, and violated the in- "dependence of the Swiss nation, in defiance "of the treaty of Luneville, which had sti- "pulated the independence of their territory, "and the right of the inhabitants to choose "their own form of government."

We shall here venture to ask the English government, whether it is at one and the same time the judge, the commentator, the guarantee, and the avenger of the treaty of Luneville? When all Europe is tranquillized by the blessings of that memorable compact, what interest or what right has a power, that would not interfere in the negotiation, and who, from views of animosity or ambition, at that period separated itself entirely from the contracting states, to refer to a treaty to which it was not a party, and which has for its guarantee the greatest powers of the continent? Is it a contempt of those powers? Is it a pretention to European supremacy? Or, rather, is it not the expression of bitter regret which it cannot conceal, that without England, and in spite of England, Europe remains in peace, by the force of a treaty, which it *was* not in the power of England to prevent, which it *is* not in the power of England to disturb?

(9.) " They have annexed to the dominions
" of France, Piedmont, Parma, and Placentia,
" and the Island of Elba, without allotting any
" provision to the King of Sardinia, whom
" they have despoiled of the most valuable
(10.) " part of his territory, though they were
" bound, by a solemn engagement to the Em-
" peror of Russia, to attend to his interests,
" and to provide for his establishment. It
" may, indeed, with truth be asserted, that
" the period which has elapsed since the con-
" clusion of the definitive treaty, has been
" marked with one continued series of ag-
" gression, violence, and insult on the part of
" the French government."

If the King of Sardinia has been unjustly despoiled of " the most valuable part of his territory," why has England, who conducted this prince to the state of abasement in which the fortune of war has thrown him, made no exertions during the war, no sacrifices at the period of the negotiations for peace, to compensate him for the evils which British instigation and British interference have brought upon him? Such is the fate of monarchs who devote themselves to the politics of this power! A despotic and haughty direction traces out to them the road which conducts to the abyss of destruction. Are they precipitated into it? She closes her ears to their complaints; she combats, she negotiates, she demands, she stipulates,—but for herself only. Nevertheless, one great, one final consolation awaits them: they may rest assured, that, at the renewal of hostilities, they will obtain an honourable mention in the manifestoes of England.

(10.) Of what concern is it to England, whether France is " bound," or not bound " by solemn engagements with other powers?" Do the treaties existing between the powers of Europe stand in need of the sanction of the King of England? Is the continent, in what relates to its public rights, under the necessary tutelage of the English nation? Such pretensions are neither more nor less than so many insults, not only to France, but to all the powers of the continent. Must not the unfortunate King of Sardinia consider himself a-fresh insulted by the tardy and offensive pity which England now expresses, a pity, which serves only to signalize the ungrateful indifference with which his interests were discussed by her at the negotiations of Amiens?

(11.) " In the month of October last, his
" Majesty was induced, in consequence of
" the earnest solicitation of the Swiss nation,
" to make an effort, by a representation to the
" French government, to avert the evils which
" were then impending over that country.
" This representation was couched in the most
" moderate terms; and measures were taken
" by his Majesty for ascertaining, under the
" circumstances which then existed, the real
" situation and wishes of the Swiss cantons, as
" well as the sentiments of the other cabinets
" of Europe. His Majesty learned, however,
" with the utmost regret, that no disposition to
" counteract these repeated infractions of
" treaties, and acts of violence, was mani-
" fested by any of the powers most immedi-
" ately interested in preventing them; and his
" Majesty therefore felt, with respect to these
" objects, his single efforts could not be ex-
" pected to produce any considerable advan-
" tage to those in whose favour they might be
" exerted."

We see in the official papers, that a Swiss, dispatched by one of the parties which were then openly and actively in a state of civil war in Helvetia, not finding at Paris any access to the ministers of Vienna and Petersburgh, was received, directed, and encouraged by the British minister. We see, also, that at this period the English government dispatched into Switzerland an agent charged to inflame the minds of the people, to disperse money, to keep alive the spirit of faction, and to light up every where the embers of civil discord. At this juncture the First Consul interposed, in order to arrest the farther effusion of blood. A simple invitation suspended the fury of adverse parties. An army, appointed for the sole purpose of giving to the citizens exasperated against each other an opportunity of coming to a friendly understanding, was stationed in Switzerland; these citizens met, and all their disputes were terminated. A constitution, had it been dictated by wisdom herself, would never have been permanent, if imposed by a victorious party. A constitution, the work of a good understanding on both sides, has succeeded in recalling to the bosom of Switzerland its antient institutions, its antient manners, its antient peace, and, by the free choice of its citizens, its ancient magistrates. Such is the real history of this interference, which the British government dares to call an invasion. Let Europe now judge between the views of England and the views of France, and let her characterize the audacity of those men, who venture to reproach the First Consul for having, against their will, and in spite of their intrigues, restored to happiness and to concord one of the most interesting, and most respectable nations of the continent.

(12.) " It was about this time that the
" French government first distinctly advanced
" the principle, that his Majesty had no right
" to complain of the conduct, or to interfere
" with the proceedings of France, on any point
" which did not form a part of the treaty of
" Amiens. That treaty was unquestionably
" founded upon the same principle as every
" other antecedent treaty or convention, on
" the assumption of the state of possession,
" and of engagements existing at the period of
" its conclusion."

It will be necessary to examine the principle obscurely laid down by the English Go-

vernment, "*that the treaty of Amiens, like every other treaty, was founded upon the state of possession, and of engagements existing at the period of its conclusion.*" This principle means apparently (for here the obscurity of the text stands in singular need of being explained by the conduct of the English Government), that treaties have no absolute value; that their sanction does not depend on the engagements and good faith of the contracting powers; that the law which renders them binding does not proceed from the very clauses of the treaty; and the consent of those by whom it was signed; that it is not in the negotiation nor in the connection between the two states that we must seek the motives and legality of the stipulations, but in other countries, and in the great scene of relations which may exist between all the states of the world, and in the chance of all the events which, after the negotiation, may operate a change in the existence of one of the two negotiating powers. This theory goes to establish the doctrine, that treaties may, indeed, have a positive form, but that their sanction, and especially their execution, are essentially conditional and eventual. Such, in substance, is the new law of nations which the English ministry now propose for the examination of the publicists of the continent. Should this principle be once adopted, such a change must also be effected in the usual instruments, as shall perfectly characterize the degree of perfection which this principle will have given to the law of nations. For instance, in the full powers of their plenipotentiaries, it is usual for governments to say, "We promise to ratify and execute the engagements which shall have been entered into in our name." To this *formula* must be henceforth added, "unless, however, it is found, after a fresh examination of the comparative state of the two powers, that we might have exacted more, and that we conceive ourselves authorized by the future state of things to demand ampler compensations." Thus, treaties of peace will deceive no one, and will only present the real degree of good understanding, obligation, and stability, which England is pleased to give them. We will, however, lay aside the discussion of right, and leave the English Government in the quiet enjoyment of its new doctrine. We shall venture to attack it on the basis of its own hypothesis. We allow them for granted, and fear not to assert that it is easy to overthrow the edifice of its pretensions, by sapping them with the very principle it wishes to establish. In the French official publication, every thing has been said upon the pretended aggrandizement of France since the treaty of Amiens, but nothing upon the aggrandizement of England. We shall endeavour to supply this omission. The Carnatic is a portion of Indostan, extending from Gontoor Cirian, all the length of the Coast of Coromandel, to Cape Comorin, and includes Tanjour, Maravar, Trichenapali, Maduré, and Zinnerilly. Its length is about 570 English miles, its breadth 120. The population of this state is about five million souls, and the revenue of the sovereign amounts to a million sterling. Since the conclusion of the treaty of Amiens, this rich possession has been added to the power and riches of the English nation in Europe. We shall say nothing as to the mode, form, and title, by which this possession was acquired. The English would probably answer us, that justice, like language, is local; that the public law of Europe cannot regulate actions which take place in Asia; that the English, in this part of the globe, are not tied down by any of those laws which direct the conduct of the people of this continent; that scourges, equal to the plague and famine, brought upon millions of fellow creatures, by simple views of speculation; that the slavery of nations, that imprisonment, that even the poisoning of princes, and the usurpation of their estates, are events which, by reason of their distance, cannot be comprehended and judged of so far off; and, lastly, that Indians, whether kings, priests, or slaves, are not men. But we shall solely ask them, whether the revenue of a million sterling does not produce them gold, and whether this gold is not serviceable to them, in those intrigues, corruptions, and bloody disputes, which the public law has never been able to prevent, and, still less than ever, since the treasures of India have been called in to support the English in that system of audacity, turbulence, and exterior liberality, which, for half a century, has been practised with so much success to themselves, and so much misery to others? We call on the partizans of the English Government to answer these two questions.

We have only spoken of acquisitions made by England, and known to Europe, since the treaty of Amiens; acquisitions which, according to the *professed principle of the Declaration*, now constitute "*a state of possession* different from that which existed at the period of the treaty." We, however, conceive it our duty, in order to clear up the great question of the aggrandizement of the two states, to recapitulate the acquisitions made by this very country, during the course of the last war. We shall not speak of the history of the conquest of Tippoo Saib. If ever a controversy should arise, on the comparison of the acts and politics of revolution-

ary Europe with the system which England has latterly pursued in India, we undertake to prove, that not only in France, at the most violent epoch of her revolution, but, also, in no other country of the globe, and at no period of the history of man, has any administration ever manifested a more iniquitous, a more greedy, a more inhuman ambition, than that of which the English administration in India has given us the example, both before and during the war which laid low one of the most powerful sovereigns of Indostan. The result of power and of riches, for which the English are indebted to the injustice of their Government in India, is as follows: The portion of the bloody heritage of Tippoo Saib which fell to the lot of England, is composed of several provinces, rich in culture, and important from their position. Its extent is 500 miles in length, and 300 in breadth. The army of Tippoo consisted of 150,000 men, 70,000 of whom were regular troops. For fear of falling into error, and considering the diversity in the relations of historians and travellers, we shall not venture to estimate the population acquired by England, nor the revenues of its new usurpations. But to dwell on facts generally admitted: we venture to assert, that since the destruction of the power of the Mysore, there no longer exists any force in Bengal, and in the peninsula to the south of the Mahratta country, capable of opposing the slightest check to the ambition of England; that the people and states of this country lost, in the overthrow of Tippoo-Saib, the sole support of their independence, and the ultimate hope of their weakness; that these states, now defenceless, compose when united to those under the government of England, a population of forty million souls; and that those to which British authority does not immediately extend, are not in a situation less miserable or less dependant; since their princes are incessantly alarmed by a neighbour who overawes them, since the exclusive system of English commerce forbids the participation of other European nations in the commerce of India, and thus, the inhabitants of this country, though not governed by the laws of England, are no less subject to the despotism of her speculations, no less oppressed by her avarice, and no less the slaves of her industry.

(13.) "If that state of possession and of engagements is materially affected by the voluntary act of any of the parties, so as to prejudice the condition on which the other party has entered into the contract, the change so made, may be considered as operating virtually as a breach of the treaty itself, and as giving the party aggrieved a right to demand satisfaction or compensation for any substantial difference which such acts may have effected in their relative situations; but whatever may be the principle on which the treaty is to be considered as founded, there is indisputably a General Law of Nations, which, though liable to be limited, explained, or restrained by Conventional Law, is antecedent to it, and is that law or rule of conduct to which all sovereigns and states have been accustomed to appeal, where Conventional Law is admitted to have been silent. The Treaty of Amiens, and every other treaty, in providing for the objects to which it is particularly directed, does not therefore assume or imply an indifference to all other objects which are not specified in its stipulations, much less does it adjudge them to be of a nature to be left to the will and caprice of the violent and the powerful. The justice of the cause is alone a sufficient ground to warrant the interposition of any of the powers of Europe in the differences which may arise between other states, and the application and extent of that just interposition is to be determined solely by considerations of prudence. These principles can admit of no dispute; but if the new and extraordinary pretension advanced by the French Government, to exclude his Majesty from any right to interfere with respect to the concerns of other powers, unless they made a specific part of the stipulations of the Treaty of Amiens, was that which it was possible to maintain, those powers would have a right, at least, to claim the benefit of this principle, in every case of difference between the two countries. The indignation of all Europe must surely then be excited by the declarations of the French government, that, in the event of hostilities, these very powers who were no parties to the Treaty of Amiens, and who were not allowed to derive any advantage from the remonstrances of his Majesty in their behalf, are nevertheless to be made the victims of a war which is alledged to arise out of the same Treaty, and are to be sacrificed in a contest which they not only have not occasioned, but which they have had no means whatever of preventing."

The conclusion of this paragraph is totally unintelligible. There is here a confusion of powers which renders it incomprehensible. Which, we wish to know, are the states "in whose behalf the English government has made remonstrances," and which are those, that, "not being able to occasion or prevent the contest, may nevertheless be made the victims of it?" These powers are not thus confounded without design; for it is always so easy to explain our intentions clearly, that obscurity, in objects of great and manifest interest, must ever be considered as the certain sign of dissimulation, or of a conscience stung with reproaches. But what is here the secret intentions of the English government? Of these we are totally ignorant. We know only, that the states, in whose behalf England has made remonstrances, have no great reason to express their gratitude. Her deceitful promises proved fatal to the King of Sardinia. They would also have succeeded

in undoing Switzerland, had not the First Consul snatched that devoted country from their solicitations. As to the states that may suffer from the war which England is about to rekindle, we imagine this to be one of the consolations which her generosity is preparing, to efface the impression of their miseries and alarms. Should this war draw after it a ten years train of fresh desolations and destruction, England, by her foresighted declaration, is already prepared to say to her victims—" Of what have you to reproach me? It is true I rekindled the war; it is true I foresaw all that you were to suffer; but read my manifesto, and see whether or no I did not say, that you *had neither occasioned nor prevented it*, and expressly recommended that *you might not be sacrificed in this contest.* These generous ideas, we doubt not, will inspire the cabinet writers, the first time they have occasion to manufacture one of those laboured productions, entitled, *The Speech from the Throne*, and which, annually, informs the good people of England, of all that the anxiety of ministers for their happiness has projected, and of the happy unanimity subsisting between them and the legislature.

(14.) " His Majesty judged it most expedient, under the circumstances which then affected Europe, to abstain from a recurrence to hostilities on account of the views of ambition and acts of aggression manifested by France on the continent; yet an experience of the character and dispositions of the French government could not fail to impress his Majesty with a sense of the necessity of increased vigilance in guarding the rights and dignity of his crown, and in protecting the interests of his people.—Whilst his Majesty was actuated by these sentiments, he was called upon by the French government to evacuate the island of Malta. His Majesty had manifested, from the moment of the signature of the definitive treaty, an anxious disposition to carry into full effect the stipulations of the treaty of Amiens relative to that island. As soon as he was informed that an election of a Grand Master had taken place, under the auspices of the Emperor of Russia, and that it had been agreed by the different priories assembled at St. Petersburgh to acknowledge the person whom the court of Rome should select out of those who had been named by them to be Grand Master of the Order of St. John, his Majesty proposed to the French government, for the purpose of avoiding any difficultics which might arise in the execution of the arrangement, to acknowledge that election to be valid: and when, in the month of August, the French government applied to his Majesty to permit the Neapolitan troops to be sent to the island of Malta, as a preliminary measure for preventing any unnecessary delay, his Majesty consented without hesitation to this proposal, and gave directions for the admission of the Neapolitan troops into the island. His Majesty had thus shewn his disposition not only to throw no obstacle in the way of the execution of the treaty, but, on the contrary, to facilitate the execution of it by every means in his power. His Majesty cannot, however, admit, that at any period since the conclusion of the treaty of Amiens, the French government have had a right to call upon him, in conformity to the stipulations of that treaty, to withdraw his forces from the island of Malta. At the time when this demand was made by the French government, several of the most important stipulations of the arrangement respecting Malta remained unexecuted: the election of a Grand Master had not been carried into effect. The tenth article had stipulated that the independence of the island should be placed under the guarantee and protection of Great Britain, France, Austria, Russia, Spain, and Prussia. The Emperor of Germany had acceded to the guarantee, but only on condition of a like accession on the part of the other powers specified in the article. The Emperor of Russia had refused his accession, except on the condition that the Maltese langue should be abrogated; and the King of Prussia had given no answer whatever to the application which had been made to him to accede to the arrangement. But the fundamental principle, upon the existence of which depended the execution of the other parts of the article, had been defeated by the changes which had taken place in the constitution of the Order since the conclusion of the treaty of peace. It was to the Order of St. John of Jerusalem that his Majesty was, by the first stipulation of the 10th article, bound to restore the island of Malta. The Order is defined to consist of those langues which were in existence at the time of the conclusion of the treaty: the three French langues having been abolished, and a Maltese langue added to the institution. The Order consisted, therefore, at that time of the following langues, viz. of Arragon, Castile, Germany, Bavaria, and Russia. Since the conclusion of the definitive treaty, the langues of Arragon and Castile have been separated from the Order by Spain, a part of the Italian langue has been abolished by the annexation of Piedmont and Parma to France. There is strong reason to believe that it has been in contemplation to sequestrate the property of the Bavarian langue, and the intention has been avowed of keeping the Russian langues within the dominions of the Emperor."

The British government, by what it advances in this historical developement, stands evidently accused. On the arrival of the Neapolitan troops at Malta, its dispositions, at least apparently so, were conformable to the treaty of Amiens, and the two countries lived in a state of good understanding. Every thing that precedes this event may, too late, be remembered with bitterness, and represented in a false point of view; but it is certain, that, at that period, the communications, official and non-official, between the two governments, were amicable and temperate. If the English government, at this time, suspected France of "*views of ambition*," and could have accused her of "*mani-*

fested aggressions," why can they not be traced in the official notes or dispatches of its Ministers?—It is then, clear, that the irritation of the English government takes its date from the very moment it was called on to execute the treaty of Amiens, in a point that counteracted its projects of ambition. It is clear, that it has now no other charge against France; it is clear, that all those which precede it, were mere amplifications of office, a vain display of blustering declamations and diplomatic bathology, deemed necessary to draw the attention of the public from the real object of the rupture.

(15.) "Under these circumstances, the Order "of St. John, cannot now be considered as "that body to which, according to the stipula- "tions of the treaty, the island was to be res- "tored; and the funds indispensably necessary "for its support, and for the maintenance of "the independence of that island, have been "nearly, if not wholly, sequestered. Even if "this had arisen from circumstances which it "was not in the power of any of the contract- "ing parties to the treaty to control, his Ma- "jesty would nevertheless, have had a right "to defer the evacuation of the island by his "forces, until such time as an equivalent ar- "rangement had been concluded for the pre- "servation of the independence of the Order "and of the island. But if these changes have "taken place in consequence of any acts of "the other parties of the treaty; if the French "government shall appear to have proceeded "upon a system of rendering the Order whose "independence they had stipulated, incapable "of maintaining that independence, his Ma- "jesty's right to continue in the occupation "of the island, under such circumstances, will "hardly be contested. It is indisputable, "that the revenues of the two Spanish Langues "have been withdrawn from the Order by his "Catholic Majesty; a part of the Italian "Langue has in fact been abolished by France, "through the unjust annexation of Piedmont "and Parma, and Placentia, to the French ter- "ritory. The Elector of Bavaria has been in- "stigated by the French government to se- "questrate the property of the Order within "his territories; and it is certain, that they "have not only sanctioned, but encouraged "the idea of the propriety of separating the "Russian Langues from the remainder of the "Order.- As the conduct of the governments "of France and Spain, have, therefore, in "some instances directly, and in others, indi- "rectly, contributed to the changes which "have taken place in the Order, and thus de- "stroyed its means of supporting its inde- "pendence, it is to those governments, and "not to his Majesty, that the non-execution "of the 10th Article of the treaty of Amiens "must be ascribed.—Such would be the just "conclusion, if the 10th Art. of that treaty "were considered as an arrangement by itself. "It must be observed however, that this Ar- "ticle forms a part only of a treaty of peace, "the whole of which is connected together, "and the stipulations of which must, upon a "principle common to all treaties, be con- "strued as having a reference to each other. "His Majesty was induced by the treaty of "Peace to consent to abandon and to restore "to the Order of St. John the island of Malta, "on condition of its independence and neu- "trality. But a further condition which must "necessarily be supposed to have had consi- "derable influence with his Majesty in in- "ducing him to make so important a conces- "sion, was the acquiescence of the French "government in an arrangement for the secu- "rity of the Levant, by the 8th and 9th Arti- "cles in the treaty, stipulating the interests of "the Turkish Empire, and the independence "of the Ionian islands."

It will here be necessary to recall to our recollection the 10th Article of the treaty of Amiens, which we shall transcribe entire:

"The islands of Malta, Gozo, and Comino, shall "be restored to the Order of St. John of Jerusalem*, "to be held on the same conditions on which it pos- "sessed them before the war, and under the follow- "ing stipulations:—1. The Knights of the Order, "whose *Langues* shall continue to subsist, after the "exchange of the ratification of the present treaty, are "invited to return to Malta, as soon as the exchange "shall have taken place. They shall there form a "general Chapter, and proceed to the election of "a Grand Master, chosen from among the natives "of those nations which are to preserve their "*Langues*, unless that election has been already "made since the exchange of the preliminaries.— "It is understood that an election made subsequent "to that epoch, shall alone be considered valid, "to the exclusion of any other that may have taken "place at any period prior to that epoch.—2. The "governments of the French Republic, and of "Great-Britain, desiring to place the Order and "island of Malta in a state of entire independence "with respect to themselves, agree that there shall "not be in future either a French or an English "*Langue*; and that no individual belonging to "either the one or the other of these powers shall "be admitted into the Order.—3. There shall be "established a Maltese *Langue*, which shall be sup- "ported by the territorial revenues, and commer- "cial duties of the island. This *Langue* shall have "its peculiar dignities, an establishment and a man- "sion-house. Proofs of nobility shall not be ne- "cessary for the admission of Knights of this *Langue;* "and they shall be moreover admissible to all of- "fices, and shall enjoy all privileges in the same "manner as the Knights of the other *Langues*. At "least *half* of the Municipal, Administrative, Civil, "Judicial, and other employments depending on "the Government, shall be filled by inhabitants of "the islands of Malta, Gozo, and Comino. 4. The "forces of his Britannic Majesty shall evacuate the "island and its dependencies, within three months "from the exchange of the ratifications, or sooner "if possible. At that epoch it shall be given up to "the Order in its present state, provided the Grand "Master, or Commissaries, fully authorized accord- "ing to the statutes of the Order, shall be in the "island to take possession, and that the force which "is to be provided by his Sicilian Majesty, as is "hereafter stipulated, shall have arrived there.— "5. One half of the garrison, at least, shall be al- "ways composed of native Maltese; for the re- "mainder, the Order may levy recruits in those "countries only which continue to possess the "*Langues*. The Maltese troops shall have Maltese "officers. The commandership in chief of the "garrison, as well as the nomination of the offi- "cers, shall pertain to the Grand Master, and this "right he cannot resign even temporarily, except "in favour of a Knight, and in concurrence with

" the advice of the Council of the Order—6. The " independence of the isles of Malta, of Gezo and " Comino, as well as the present arrangements, " shall be placed under the protection and gua- " rantee of France, Great-Britain, Austria, Spain, " Russia, and Prussia.—7. The neutrality of the " Order and of the island of Malta, with its de- " pendencies, is hereby proclaimed.—8. The ports " of Malta shall be opened to the commerce and " the navigation of all nations, who shall there " pay equal and moderate duties: these duties " shall be applied to the maintenance of the Mal- " tese *Langue*, as specified in paragraph 3, to that " of the civil and military establishments of the " island, as well as to that of a general Lazaret, " open to all colours.—9. The States of Barbary " are excepted from the conditions of the pre- " ceding paragraphs, until, by means of an arrange- " ment to be procured by the contracting parties, " the system of hostilities, which subsists between " the states of Barbary and the Order of St. John, " or the powers possessing the *Langues*, or con- " curring in the composition of the Order shall " have ceased.—10. The Order shall be governed " both with respect to Spirituals and Temporals, " by the same statutes, which were in force, when " the Knights left the isle, as far as the present " treaty does not abrogate them.—11. The regu- " lations contained in the paragraphs, 3, 5, 7, 8, " and 10, shall be converted into laws and perpe- " tual statutes of the Order, in the customary man- " ner; and the Grand Master, or, if he shall not " be in the island at the time of its restoration to " the Order, his representative, as well as his suc- " cessors, shall be bound to take an oath for their " punctual observance.—12. His Sicilian Majesty " shall be invited to furnish 200 men, natives of his " states, to serve as a garrison in the different for- " tresses of the said islands. That force shall re- " main one year, to bear date from their restitution " to the Knights; and if at the expiration of this " term, the Order should not have raised a force " sufficient, in the judgment of the Guaranteeing " Powers to garrison the island and its dependen- " cies, as is specified in the 5th paragraph, the " Neapolitan troops shall continue there until they " shall be replaced by a force deemed sufficient by " the said Powers.—13. The different Powers de- " signated in the 6th paragraph, to wit, France, " Great-Britain, Austria, Spain, Russia, and Prussia, " shall be invited to accede to the present stipu- " lations."

The letter and spirit of every part of this article agrees on one point, which, both with regard to the order of Malta, and the respective interests of France and England, is the most important of all—that within three months from the exchange of the ratifications, the island of Malta shall be evacuated by the British forces, and that the order shall remain sovereign, and independent of any of the contracting powers.—This article consists of thirteen paragraphs; and this division, expressly and numerically marked, indicates that they are distinct, and totally independent of each other. Some of these paragraphs are conditional; others absolute. Of the former description are, necessarily, those which speak of the concurrence of the powers not contractants to the treaty. Of the latter, are, necessarily, those which require only the concurrence of the contracting powers in order to its execution.—There is, however, one exception in the fourth paragraph, and that exception is clearly expressed: the island shall not be evacuated by the English troops, but on the arrival of the Grand Master or Commissaries fully authorized according to the statutes of the Order, and of the Neapolitan troops. Here we find the positive clause of the evacuation of Malta united to two conditional clauses. But the exception establishes the rule, and is the clearest evidence, that the evacuation of Malta by the English cannot be connected with a third hypothesis. The two conditions just cited entered necessarily into the sense and object of the negotiation, and, for this reason, were inserted in the fourth paragraph. The preamble of the article declares, in an absolute manner, that the order shall be master of Malta; the second paragraph declares, in an absolute manner, that the order and island of Malta shall be in a state of entire independence of France and of England. It is therefore necessary, in a manner equally absolute, that the two conditions, the presence of a commissary of the order, and of the Neapolitan troops destined for the provisional protection of the island, and the order of Malta, should be realized, in order to the execution of the preamble and the fourth paragraph. But neither in the nature of things, nor by the contexture of the 10th article, can the evacuation and independence of Malta be connected with any other conditional paragraphs of this article. The two governments agreed that Malta should be restored to the order. One renounced the rights acquired by the treaty made with the order: the other, the rights attained by conquest; and, in order that these sacrifices might not experience the least obstacle, and the smallest possible delay, they made the act of restitution to depend wholly on one power, and took care to interest that power in the restoration of the order, by stipulating, in the preamble, for the preservation of its individual rights. In the same spirit of foresight have they provided, in the 4th and 10th paragraphs, against the alternative, that the grand master should not be elected, or that he could not repair to the island, to receive it from the British officers. Such were the positive and absolute views of the two governments, relative to the order of Malta. But this order being feeble, dispersed, and without a chief, it became their duty, at the same time, to turn their attention to the changes which circumstances had rendered necessary, both in its constitution and its future interests. For this purpose they decreed the accessory clauses

relative to reforms deemed beneficial, and to political guarantees the most capable of procuring to the order security, prosperity, and consideration. These clauses are to be found in the paragraphs 1, 3, 5, 6, 8, 11, and 13 of the Xth article. But none of these clauses essentially interest the existence of the order. Langues may be established or suppressed; the order may be more or less rich; its existence may be guaranteed by a greater or less number of powers: these hypotheses effect, in no degree whatever, the essence of the re-establishment of the order in its chief place of residence, and, still less, can they alter the force of the engagements which the two powers have contracted on their own part, and on the part of each other. This theory of right is so plain, that nothing but the most notorious bad faith could render an exposition of it necessary. Nothing, too, but the most bare-faced ambition can dispute the truth of its conclusions. Let us suppose, for a moment, that on this point the conduct of England had been sincere and disinterested; what would have been her language? "The powers who are to guarantee the "10th article of the treaty of Amiens have "delayed giving this guarantee; it will ar-"rive quite as soon after as before the eva-"cuation. Is this guarantee, in some re-"spects, incomplete? We will negotiate to "obtain one without modification; or else "the contracting powers will yield to the "modifications demanded. In short, the "guarantee, such as is wished for, can it not "be obtained? Well! the order shall ex-"ist under the guarantee of the contracting "powers, and those who have not acceded "to the demands stipulated in the 6th and "13th paragraphs of the 10th article, are "too generous and too just ever to attach "the security of an order, in the re-esta-"blishment of which, their wishes and their "kind offices have as much contributed as "the consent and the inclinations of the "contracting powers." With respect to the clauses relative to reforms, her language would have been this: "the order in elect-"ing the grand master since the treaty of "Amiens, the Emperor of Russia in autho-"rizing this nomination, the sovereign pon-"tiff in concluding this election, have im-"plicitly adopted the reforming paragraphs. "Will a more direct discussion of these "clauses give birth to difficulties in their "execution? These difficulties shall be ex-"amined, explained, and either adopted or "rejected. It little imports the tranquillity "of the world, whether the changes in the "statutes of the order be few or many; but "it highly imports the honour of England, "that this order should exist, be imme-"diately re-installed, and its chief residence "restored to it. In short, the order of "Malta is menaced in its possessions by so-"vereigns, to whom the invasion of the "island of Malta has become either an ob-"ject of encouragement and imitation, or a "motive for now endeavouring to plunder "the order of a rich portion of her terri-"tories. Is this danger, then, a reason for "taking advantage of those acts of violence "which this unfortunate order is in dread of "experiencing? And, because it is poor, "and runs the risk of becoming more so, "is it generous to seek to add to the mea-"sure of its miseries, by plundering it of its "subjects, its fortresses, its ports, and its "title of sovereignty." Such would have been the language of the minister of the King of England, had it been intended in the privy council to establish, on grounds of justice and good sense, the determination his Britannic Majesty had entered into.

(16.) "His Majesty has, however, since "learnt, that the French government have en-"tertained views hostile to both these objects; "and that they have even suggested the idea of "a partition of the Turkish empire. These "views must now be manifest to all the world, "from the official publication of the report of "Colonel Sebastiani, from the conduct of that "officer, and of the other French agents in "Egypt, Syria, and the Ionian islands, and "from the distinct admission of the First Con-"sul himself, in his communication with Lord "Whitworth. His Majesty was, therefore, "warranted in considering it to be the deter-"mination of the French government to vio-"late those articles of the treaty of peace, "which stipulated for the integrity and inde-"pendence of the Turkish empire, and of the "Ionian islands, and consequently he would "not have been justified in evacuating the "island of Malta, without receiving some "other security, which might equally provide "for these important objects. His Majesty "accordingly feels that he has an incontestible "claim, in consequence of the conduct of "France since the treaty of peace, and with "reference to the objects which made part of "the stipulations of that treaty, to refuse, "under the present circumstances, to relin-"quish the possession of the island of Malta."

The war of the English government has two alledged pretexts. The former we have already analyzed; the latter is an affected inquietude as to the fate of the Ottoman empire. We shall next examine the declared motives of this inquietude. In the first place, the English government "*learnt that the French entertained views hostile to the integrity of the Ottoman empire;*" and these views, say they, "*must now be known to all the world.*" By what means has the English government learnt that France entertained such views? And on what evidence does it assert, that these views were known to all the world? The declaration is silent on this

charge, and, doubtless, no human sagacity can supply the place of such an omission!—To "learn" a little sooner, what "all the world knows" a little later, may be a great effort of foresight. But what is here wanting to complete the reader's instruction, is the proof that these designs were known before the time of their public revelation; that these designs are generally known even now; and, what is of still more importance, that these designs had ever any real existence. Where are the proofs of this assertion? Not in the declaration; for that refers us, with an assurance which we cannot sufficiently admire, to the report of Colonel Sebastiani, and the "distinct admission" of the First Consul himself, in his communication with Lord Whitworth. Thus instructed, the reader hastens to the official collection, where he first of all turns to the communications of the First Consul with the British Ambassador, and afterwards to the report of Colonel Sebastiani, "which discovers to the whole world the views of the French government." During the course of Lord Whitworth's mission, did there ever exist a negotiation between this ambassador and the French ministry? Would the First Consul have deigned to assist at an official conference? Would there have been a minute of these conferences? And would the First Consul have authorized the insertion in this minute of what he had been pleased to say? Had this been the case, there would, we conceive, have been a regular, authentic communication. But no; nothing of this sort appears in the official collection. But what do we find in it that applies to the assertion of the English minister? A conversation of two hours, comprised in a dispatch of three pages; an acknowledgment, often repeated, of the difficulty of the writer to retain and arrange his recollections, a confession of not being able to confide in his memory, and a sentence carefully underlined, for the purpose of pointing out the grand mystery and *distinct admission* of the views of the First Consul against the Ottoman empire. This sentence runs thus: "He now went back to Egypt, and told "me, that if he had felt the smallest inclination to take it by force, he might have "done it a month ago, by sending 25,000 "men to Aboukir, who would have possessed themselves of the whole country, "in defiance of the 4000 British in Alexandria. That instead of that garrison "being a means of protecting Egypt, it was "only furnishing him with a pretence for "invading it. *This he should not do, whatever might be his desire to have it as a colony, because he did not think it worth the risk of a war, in which he might, perhaps, be considered as the aggressor, and by which he should lose more than he could gain, since, sooner or later, Egypt would belong to France, either by the falling to pieces of the Turkish empire, or by some arrangement with the Porte.*" Is it possible to play thus audaciously with the good sense of the people of the 19th century! And is it the nation that produced a Locke, a Nepier, and a Newton, whose determination to spill her blood, to squander her treasure, to torture her industry, and to draw down upon her shores a scourge which, in the course of events, may degenerate into a war of extirmination, is now attempted to be justified! From our respect to the First Consul, we abstain from entering into the particulars of a conversation, the truth and even probability of which is absolutely indifferent to the discussion. Whether this letter be written by Lord Whitworth or by ministers, or partly by one and partly by the other, the use made of it by the framers of the declaration answers, by no means, the object they had in view. It is a mass of inconsistency, absurdity, and a total forgetfulness of the respect which governments owe to themselves, as well as to public opinion. Readers, disappointed with the perusal of the ministerial dispatch, have no other means of arriving at the discovery of the pretended designs of France against the Ottoman empire, than the report of Colonel Sebastiani. And here the English cabinet leaves its readers to themselves. Not a sentence is underlined, and through the long and varied details of a journey to Tripoly, Alexandria, Cairo, Damietta, and Jaffa, must they search for the traces of those fatal designs, which no official indication has attributed to them. Vain researches! We find, in the report, that Colonel Sebastiani was received every where with marks of esteem, of confidence, and of attachment; that every thing, but the conduct of an English officer, and the stay of the English army in Egypt, completely answered his expectations; that the name of the First Consul was blest and revered in the East; that the French nation was beloved; that the delay of the English was a subject of alarm and discontent: not a sentence, not a single expression is there in the whole report, that can, by the most forced interpretation, be construed into a design of France against the Ottoman empire. Of this we may be well assured. For if the most distant allusion to these pretended designs could have been traced, the aid of *italic characters* would, doubtless, have been called in, to designate the points of the report, on which the attention of the reader

should be arrested. Thus, then, it is evident, that the English government falsely boasts of having "learnt the views of France against the Ottoman empire;" that it wrongfully accuses France of entertaining such views, and that the French government has better known than itself the means of making it *generally understood*, that the "views hostile to the security of the Ottoman empire" belong solely to the English ministry, by shewing that it waited to the last moment before it evacuated Egypt, and that, in defiance of every consideration of justice, of decency, and of public right, it obstinately refused to evacuate Malta.

(17.) "Yet notwithstanding this right, so "clear and so unquestionable, the alternative "presented by the French government to his "Majesty, in language the most peremptory "and menacing, was the evacuation of Malta, "or the renewal of war.—If the views of am-"bition and aggrandizement, which have thus "been manifested by the French government "since the conclusion of the treaty of peace, "have in so very particular a manner attracted "the attention of his Majesty, it has been "equally impossible for him not to feel and "not to notice, the repeated indignities which "have been offered by that government to his "crown and his people."

The English government is absolutely determined to exculpate itself from every charge by means of simple recrimination, without any authority but its own assertions, and to throw them entirely upon France. We have already seen that it was France who entertained *views against the Ottoman empire*. We now see, that it is France who has employed *language the most peremptory and menacing*. At a future day, perhaps, it will endeavour to prove, that it was the First Consul who, in a message to the legislative body, insulted truth, by two assertions notoriously false; that it was he who forbad his ministers to make known his propositions in writing; that it was he who imposed the alternative of 36 hours; that it was he who recalled his ambassador from London; that it was he who caused to be printed garbled dispatches, and who published as official papers, letters without connection, without interest, and without authenticity; that it was he, in short, who declared war.

(18.) "The report of Colonel Sebastiani "contains the most unwarrantable insinuations "and charges against his Majesty's govern-"ment, against the officer who commanded "his forces in Egypt, and against the British "army in that quarter. This paper cannot be "considered as the publication of a private "individual; it has been avowed, and indeed "bears evidence upon the face of it, that it "is the official report of an accredited agent, "published by the authority of the govern-"ment to which it was addressed, who there-"by have given it their express sanction."

Much has been said in the London journals respecting the Moniteur, and the official character of this periodical paper: this is pure jealousy of the editors. But what have governments to do with what is published in a newspaper? When a government authorizes a journal to inform its subscribers that it is official, it thereby makes known that the acts of administration, published in that journal, are authentic, and that the laws and deliberations of the constituted authorities published by its editors, are literally printed from the copies transmitted them, either by the clerks of those authorities, or from the secretary of state's office. All that is printed in London is official in relation to France, as being countenanced by the public authority; in this sense, also, all that is printed in France is official, in relation to England. But to argue from a report made to the chief magistrate of a government, in order to signalize projects and views of high administration, is to take observations presented to an authority, for the intentions of the authority itself. To argue from what has been published in a newspaper, in order to fix upon a government political dispositions it has not made known by the acknowledged agents of its measures, by the appointed organs of its views, is to suppose, that there exists in the political organization of Europe, neither rules, nor forms, nor principles. It is singular that it should fall to the lot of Frenchmen, emerging from a revolution, during which so many things were displaced, so many laws misunderstood, to correct a government pretending to be old in the most common notions of the forms, the nature, and the various departments of the administration of a state; and that to men who, for ten years, have incessantly reproached us with having overturned every thing, we should have occasion to say—"You present us with articles of a "newspaper for acts of government; and "you place in the mouth of a king, infor-"mations of facts, which the most discre-"dited news-monger would not venture to "insert in his journal: you attach so much "importance to extracts from German pa-"pers, that you think it your duty to pre-"serve them in a collection of state papers; "and in this very collection you refuse to "give place to important official notes, trans-"mitted you under the signature of the mi-"nister of a foreign government: you pub-"lish, as official, letters without date, with-"out signature, or only signed by persons "unknown, ministerial dispatches which you "have re-written, abridged, or lengthened "at leisure; and you imagine that the ar-"chives of the public law of Europe are, "henceforward, to be encumbered with "these puerile rhapsodies, and that the pub-

" licists of the Continent will conceive it " their duty to pay any deference to docu- " ments devoid of all interest and authen- " ticity. This is carrying assurance a little " too far, and relying too much on the igno- " rance and credulity of the public."—Colonel Sebastiani has nobly and frankly rendered an account of a mission, which he nobly and faithfully discharged. It is false that he has inculpated either the British government or the British army; and if one hazarded expression, to use the language of the Declaration, could be found in the report, does any one doubt, that the Englsh Ministers would not have hastened to render it conspicuous in their collection, by the assistance of *italic characters?*

" (19.) This report had been published a " very short time, when another indignity was " offered to this country in the communication " of the First Consul of France to the Legis- " lative Body. In this communication he pre- " sumes to affirm, in the character of Chief " Magistrate of that country that Great Britain " cannot singly contend against the power of " France; an assertion as unfounded as it is " indecent, disproved by the events of many " wars, and by none more than by those of the
(20) " war which has been recently concluded. " Such an assertion, advanced in the most so- " lemn official act of a government, and " thereby meant to be avowed to all the " powers of Europe, can be considered in no " other light than as a defiance publicly offered " to his Majesty, and to a brave and powerful " people, who are both willing and able to " defend his just rights, and those of their " country, against every insult and aggression."

The French government, in beholding the audacious system of insults, of insolent defamations, and of mad imprecations, which all the English journalists, without exception, had adopted against France, with a warmth and perseverance of which no war furnishes us the example, could not but consider this infamous species of tolerated and authorized abuse, as the menace of an actual war. The stay of the British troops in Egypt, Malta, the Cape of Good Hope and Goree, confirmed it in the idea, that England was desirous of imposing on France, by a system of pride, of violence, and of obstinacy; and to shew how little disposed it was to receive such impressions, it thought proper to declare its opinion of the actual situation of France and England, and to invite the French nation to trust to its government the charge of repelling aggresion, of maintaining its rights, and of watching over its future security. We must here remark, that in this instance, also, the quotation in the manifesto is, according to the practice of the English Cabinet, mutilated, and does not, in the " View of the State of the Republic," possess that general and absolute sense, which Ministers have thought proper to give it in the declaration.—Let us, besides, refer to the time in which the View of the State of the Republic appeared, and we shall discover what was, at that period, the political line of conduct which the English government affected to adopt with regard to the states of the Continent.—The King's speech to Parliament at the opening of the session, that is to say, on the 18th of November, three months before the date of the " View of the state of the Republic," is an act of government to which present circumstances give a considerable degree of importance, and which ought to be perused with peculiar attention. —In this speech, the King refers to the relative situation of England, and the opinion he expresses is far from being a guarantee for his perseverence in a pacific disposition. France is not mentioned, and his Majesty does not once call the attention of Parliament to the recent connection between the two countries. He enlarges, however, upon the state of Europe, and the *connection* of the continental powers with England; and declares, that he *will never lose sight of that wise system of policy, by which the interests of other states are connected with his own.* His Britannic Majesty adds, that *he cannot be indifferent to the changes that may take place in their strength and relative situations, and that his conduct shall invariably be directed by the consideration of the state of Europe.* What, in the eyes of the French government, could possibly signify this *connection* of the continental powers of England, and these considerations drawn from the changes that might take place in Europe, *in determining the duration of the sincere desire of his Britannic Majesty to maintain peace?* For it is worthy of observation, that in this very paragraph, the assurance of the pacific dispositions of his Britannic Majesty is presented under conditional forms: it is positively modified by the eventual consideration of the *connections* of England with the states of the continent.—Thus, in seven months after the peace, the English government professes, on the first opportunity of manifesting its sentiments, an uncertain, eventual, and unconditional opinion on the peace. It is not engagements it has contracted; it is not new relations between France and England, with which it amuses the nation. It presents to her the states of the Continent as the sole object which ought to fix her attention; it is anxious that she should not lose sight, for a moment, of the *wisely established system* which unites the politics of Europe with the conduct of the governments of those states; lastly, it wishes to re-kindle her mad thirst for continental connections. And when his Majesty

enlarges upon *the happiness of Great Britain, the prosperity of his people, the flourishing state of the manufactures and public revenue*, would it be credited, that he imputes no portion of these advantages to the blessings of peace?---Had not the government of the Republic, we ask, sufficient reason to fear, that the English government did not wish to rely upon the peace, and that it was fascinated with those dangerous and turbulent illusions, which, at the commencement of the last war, rendered it the apostle and instigator of coalitions, and which might again inspire her with the desire of preaching and provoking a new one? The attention excited by the King's speech naturally turns us to those of his Ministers. We shall now hear their sentiments, on the grand question of peace of war, and of continental connections. In the sitting of the 23d of November, one of the Ministers said, that "his Majesty had made peace, because the "powers of the continent were neither able "nor willing to continue the war, and that "at the moment when England, as well as "Europe, *felt herself depressed by the weight "of the burthens imposed during the course of "a long war*, rather than continue it without "allies, *he had thought it preferable to try the "experiment of peace.*"---"War," said another "of the Ministers, "is a certain evil; peace, "on the contrary, is a positive good. Pre-"pared as we are for either alternative, it "best suits us to embrace the *chance* of the "continuation of this good."—In the same sitting, the Secretary of State for foreign affairs, developed in a more precise manner, the maxims which had only been slightly touched upon in the Speech from the Throne. "The relation of England with other States "ought not," said he, "*to place her in the "situation of a nation animated by a spirit of "knight-errantry, interfering in all disputes "for the purpose of adjusting them. This "system of policy has been too much that of "England; we must have the wisdom to aban-"don it.* These relations must be founded "upon the interests of England, and upon the "means she may possess of rendering effec-"tual her interference in the disputes of other "countries. In the last century, we did not "prevent the House of Bourbon from "reigning in Spain. We did not prevent "the destruction of Poland. It was pru-"dent in us to throw no obstacle in the way "of these inevitable events." The same Minister continues: "*With respect to the "present state of England and Europe, the "different negotiations which have succeeded "each other, and the notes and representations "which have been addressed to the different "powers; it is a subject of such delicacy, that "I am confident the House will not press for "an explanation.*" He concludes by assuring it, that "*there is no hope but in a powerful co-"operation of some of the great states of "Europe.*" Such were, a short time before the publication of the "view of the state of the Republic," the Royal and Ministerial declarations of the English Government! Now, what must have been the effects of these declarations on the public opinion in France? Must not distrust, and uncertainty, doubts as to the continuance of peace, and suspicions on the new projects of coalition in case of a continental war, have arisen on all sides? And what then became the duty of the French government?---To trace, in the first place, the progress of those *negotiations, remonstrances and official notes announced by the English government*;---to endeavour to discover whether the *hope* with regard to *continental connections, and the powerful co-operation of the Great States*, was founded; and when it was satisfied that, upon a point, so important to the repose of Europe, the English government had abandoned itself to the grossest delusions, to put a period to those inquietudes which might prevent the French nation from re-animating her industry, restoring her manufactures, and giving a greater portion of activity to her commercial speculations; lastly, to announce to France, that she had no reason to dread the *Continental Connections* of England, and that *England had no allies on the Continent.*

(20.) The reading part of the European world will feel no great inclination, we believe, to search into history for the unknown wars in which "England alone has been able successfully to contend against France." The one recently concluded, is within all our recollections: it commenced with the almost general coalition of all the powers against France. England was neither the first nor the last to combat, and has, therefore, never contended singly against France. The German empire, Holland, and Italy, were at war when England entered the field. Hostilities had ceased before the peace of Portugal; the treaty of peace with the Ottoman empire was posterior to the treaty with England. Nevertheless, the Declaration expressly declares, of the assertion that Great Britain cannot singly contend against France, that *this assertion is especially disproved by the events of the war which has been recently concluded.*

(21.) "The conduct of the First Consul to his Ma-"jesty's ambassador at his audience, in pre-"sence of the ministers of most of the sove-"reigns and states of Europe, furnishes another "instance of provocation on the part of the "French government, which it would be im-"proper not to notice on the present occasion, "and the subsequent explanation of this trans-

" action may be considered as having the " effect of aggravating instead of palliating the " affront."

With respect to a pretended conversation between the First Consul and the English ambassador, we scarcely know which is entitled to the greater share of credit, the extract from the Hamburgh paper, or the letter, No. 38 of the Official Collection, attributed to Lord Whitworth. The ministers have given to these two pieces the same degree of importance, by including them in the same collection; and, by the date of their publication, they are entitled to an equal share of credit. We leave the credibility of such things as these to be defended by the journals. When ministers descend to such ground, and bring to the aid of newspaper recitals the correspondence of their agents, or to the correspondence of their agents the recitals of newspapers, they forget every idea of political decency; but those who know them are, thereby, spared the pains of entering into a discussion of charges, which are only supported by such proofs. Thus are conversations, the reality of which is doubtful, placed in the rank of political offences. States can only injure each other by acts of injustice, and England is well versed in this species of offence; but conversations are not the weapons of governments, and still less can they become the object of complaint, when we have no means of establishing the charge, but upon letters published long after their date, and testimonies extracted from public journals. There are two conversations about which the ministers of his Britannic Majesty have made a considerable degree of clamour; that reported by the English ambassador and the Hamburgh journalist, and that which appears in the official papers, No. 38, and of which Lord Whitworth is the sole narrator. As to the fact of this conversation, we will venture to say, that it is absurd to insert, in a discussion rendered public, the details of a conversation to which there could be no witnesses; and that it betrays the height of folly and inconsistency, to produce, under an official form, and with a view to inculpation, an account clumsily narrated, liable, at the moment of writing, to misconstructions, through defect of memory, and still more liable to misrepresentation from the bad faith of the parties by whom they are published. For the rest, it is generally understood, that a conversation did really take place between the First Consul and the British ambassador. It is even known, from the apparent impression it made upon Lord Whitworth, that this conversation was, on the part of the First Consul, full of mildness, a desire to remove difficulties, and views of the most conciliatory nature. In its motive and object, it has been considered as one of those unusual and spontaneous movements which an ardent love of virtue and of justice, could alone inspire, and only to be equalled by the letter written, by the same personage, to his Britannic Majesty. The First Consul had reason to hope that it had not failed in its object, since the British ambassador was, apparently, as much affected by it as could possibly have been desired. If the dispatch which has appeared under his name has not been altered by the bad faith of his government, Lord Whitworth is not deserving of pity; but if it has been mutilated, amplified, and perverted, according to the views and interest of the ministers to whom it was written, he is extremely unfortunate in being obliged to sacrifice to the cause of his King, the interests of truth and propriety. For the rest, the government of the republic has stated, in its View of the Situation of the Republic, what were its intentions with regard to the Ottoman empire: Europe will not hesitate between such an act, and the pretended official papers of the British government; between the solemn declaration of the First Consul and the miserable accusations secretly prepared, and ready to be produced whenever its bad faith may stand in need of them. " A French ambassador," said he, " is at " Constantinople, charged with renewing " and fortifying the ties which attach us to a " power which seems to be threatened with " destruction, but which it is our interest to " sustain and support the foundations by " which it is upheld."

(22.) " At the very time when his Majesty " was demanding satisfaction and explanation " on some of the points above-mentioned, the " French Minister at Hamburgh endeavoured to " obtain the insertion in a Hamburgh paper of " a most gross and opprobrious libel against " his Majesty; and when difficulties were " made respecting the insertion of it, he avail- " ed himself of his official character of Minis- " ter of the French Republic, to require the " publication of it by order of his Government " in the Gazette of the senate of that town.— " With this requisition so made, the Senate of " Hamburgh were induced to comply; and " thus has the independence of that town " been violated, and a free state made the in- " strument, by the menace of the French " Government, of propagating throughout " Europe, upon their authority, the most of- " fensive and unfounded calumnies against his " Majesty and his government."

The justification of this charge is to be found in the collection of official papers published by the English government. We have nothing to say as to the fact. Here is a simple assertion, which, at the moment of the rupture there was no opportunity to verify; since the interval between the accusation

against the Minister of the Republic and the appearance of the Manifesto, was not sufficient to establish whether or no it was well founded. But, without entering into the details of what took place, or upon what we had then no document, what do we find in the correspondence of the English Ministers in support of this charge? That the measure attributed to an agent of the Republic has been totally disavowed, and that every degree of satisfaction was promised, if it appeared that this Minister was really culpable. After such an assurance, with what justice can it be made the subject of complaint, or obtain a place in a declaration of war? Since the dispute, however, fresh proofs have reached us, to confirm our doubts as to the truth of the accusation. No note, no letter, no requisition of the Minister of the Republic at Hamburgh ever was made; and the assertion of the Ministry, as well as the sanction his Britannic Majesty has given it in his Manifesto, rests on the sole faith of a news-paper editor, who thought proper to insert, at the head of this article, *By Requisition*.—But shall we pass over without remark, that pathetic declaration on *the independence and the violated liberty of the free Senate* of this very Republic, from the bosom of which, not five years ago, an English Minister Plenipotentiary, performing the function of a Chief of banditti, forced from his asylum, an officer in the service of France, dragged him to prison, and, by the threat of a bombardment and invasion of the town and its territory, obliged this identical *free senate* in violation of all the laws of hospitality, to give up this defenceless man to the vengeance of Judges, who afterwards condemned him to death. To this degree do the English Ministers brave even the memory of their most recent transactions, from its blind and headstrong desire to impute to France every species of injustice.

(23.) " His Majesty might add to this list of " indignities, the requisition which the French " government have repeatedly urged, that the " laws and constitution of this country should " be changed relative to the liberty of the Press.

It is not incumbent on the French government to be acquainted with the nature of the English constitution. It has reason, however, to think that the English government itself is not perfectly skilled therein, at least upon the particular point relative to the political and civil right of the liberty of the press; for that there should be a country governed by a constitution authorizing incensed and ferocious men to preach rebellion, murder, and poison, against foreign governments, and that this country should be England, is what we cannot possibly admit. Nevertheless, whatever may be, in this respect, the boundary of private rights and public authority, the French government has never entertained or discovered the least desire to encroach upon it. It complained of the numberless outrages it received; a deaf ear was turned to those complaints; and it was, at length, content to adopt the principle, that whatever was authorized in England with regard to France, should be authorized in France with regard to England.—France remains persuaded that the English government possesses the power of suppressing every species of literary licentiousness; that what has been tolerated during the space of the short lived peace, which has recently been put an end to, was of the most serious and punishable nature, and that, even without having recourse to laws, the rigour of which it was its duty to employ, it was easy, by the simple exertion of *that powerful influence* it well knows how to employ when it becomes its interest to do so, to put a check to the factious and mercenary petulance of a class of miserable scribblers, who well know that the opinion which procures them a subsistence is far from being independent of the opinion of the ministry; who write but for bread, and who have no courage but that arising from hunger. Besides, it is well known, that the Editor of the *Courier de Londres* received 500 livres per month from Lord Pelham's office.

(24.) " His Majesty might likewise add the " calls which the French government have on " several occasions made upon him to violate " the laws of hospitality with respect to per- " sons who had found an asylum within his " dominions, and against whose conduct no " charge whatever has at any time been sub- " stantiated. It is impossible to reflect on " these different proceedings, and the course " which the French government have thought " proper to adopt respecting them, without " the thorough conviction that they are not the " effect of accident; but that they form a part " of a system which has been adopted for the " purpose of degrading, vilifying, and insult- " ing his Majesty and his government. Under " all these insults and provocations, his Ma- " jesty, not without a due sense of his dignity, " has proceeded with every degree of temper " and moderation to obtain satisfaction and re- " dress, while he has neglected no means " consistent with his honour, and the safety of " his dominions, to induce the government of " France to concede to him what is, in his " judgment, absolutely necessary for the fu- " ture tranquillity of Europe. His efforts in " this respect have proved abortive, and he " has therefore judged it necessary to order his " ambassador to leave Paris."

The English government touches upon this charge with great delicacy. We shall return to it in our examination of the official papers, and shall then ascertain whether it be true, that " no charge has at any time been substantiated" against the individuals protected and paid by the English ministry. On the

subject of English hospitality, we shall make one short remark: an alien, in England, has no protection; he is out of the pale of the law. One of the lowest agents of police enters his apartments, seizes upon his papers, makes no reply to his remonstrances, gives him no proof of his authority for so doing, abandons him to his own reflections, and remains deaf to all his entreaties. An alien is ordered before an agent of government; he is verbally informed that he must quit England in three days; the cause of his disgrace is concealed from him: he must depart, and if he dares to stay beyond the time limited, he is seized and sent off to Botany Bay for twenty years. Such is the conduct of the English administration! Such is English hospitality!

(25.) "In having recourse to this proceeding, it has been his Majesty's object to put an end to the fruitless discussions which have too long subsisted between the two governments, and to close a period of suspense peculiarly injurious to the subjects of his Majesty. But though the provocations which his Majesty have received might entitle him to larger claims than those which he has advanced, yet anxious to prevent calamities which might thus be extended to every part of Europe, he is still willing, as far as is consistent with his own honour and the interests of his people, to afford every facility to any just and honourable arrangement, by which such evils may be averted. He has therefore, no difficulty in declaring to all Europe, that notwithstanding all the changes which have taken place since the treaty of peace, notwithstanding the extension of the power of France, in repugnance to that treaty, and to the spirit of peace itself, His Majesty will not avail himself of these circumstances, to demand in compensation all that he is entitled to require, but will be ready to concur, even now, in an arrangement, by which satisfaction shall be given to him for the indignities which have been offered to his crown and to his people, and substantial security afforded against further encroachments on the part of France.—His Majesty has thus distinctly and unreservedly stated the reasons of those proceedings to which he has found himself compelled to resort. He is actuated by no disposition to interfere in the internal concerns of any other state; by no projects of conquest and aggrandizement; but solely by a sense of what is due to the honour of his crown, and the interests of his people, and by an anxious desire to obstruct the further progress of a system, which, if not resisted, may prove fatal to every part of the civilized world."

We are now arrived at the conclusion. The English government, *always calm, always moderate*, solely actuated by a *sense of honour*, and a desire to maintain the *security of its states*, retains Malta, and declares war.—What are the charges? What are, on this head, the injuries of France? We have exposed them; we have explained them; but we must here repeat, that of all the grievances of England, the only ones to which she attaches her determination to declare war, are the three following:—*First*, the demand to execute the 10th article of the treaty of Amiens. *Second*, an extract from the Hamburgh Journal. *Third*, the report of Colonel Sebastiani.—England assures us she had no ground of war prior to the above; it was, however, at a period considerably anterior to these three grievances, that the English government dispatched to the extremities of Africa a counter-order for the non-evacuation of the Cape; at which time, the *secret views* of the First Consul against the Turks had not been discovered, the instructive letter, No. 38, in the collection, and the report of the Colonel had not yet enlightened the world, with regard to the destructive projects of France. But what can inductions, reasonings, or even positive proofs avail, when opposed to the express declaration of his Britannic Majesty, who positively declares, that he only makes war upon the demand made to him to execute the treaty of Amiens, upon a conversation with Lord Whitworth, upon an article in a German newspaper, and upon the report of Colonel Sebastiani!

Thus, because the French government demands the execution of the 10th article of the treaty of Amiens, the English government breaks that treaty by a manifesto. Because the editors of German newspapers have declared that they inserted, *by authority*, an article, in which Europe is informed that the First Consul denied two falsehoods transmitted to parliament by the King of England, the King of England pretends to consider himself insulted by France. Because ministers assure us, that Lord Whitworth forwarded them the details of a conversation, in which they pretend the First Consul declared that the duration of the Turkish empire would not be eternal, and that the Grand Seignior might one day be induced to cede Egypt to France, they endeavour to make Europe believe that the security of the Turkish empire has been menaced by France. Because a French colonel has stated that the Mamelukes were encouraged and supported by England, and that the Porte saw with suspicion and alarm the stay of the British army in Egypt, the English ministers conceive themselves justified in asserting that the Turks are mistaken, that France has calumniated the English government, and that it is she alone who entertains "views of ambition hostile to the security of the Ottoman empire." And, lastly, because the Ottoman empire is threatened, the English ministers are anxious to be within reach of its ill-subdued Mamelukes, its insubordinate pachas, its discontented Greeks, in order to dispel the alarms of the Porte, and present it, in the moment of danger, with a perspective of the succour ever at hand of

an English squadron, which, in the space of a week, could convey to her capital an army of liberators, similar to those who watched over the Nabob of the Carnatic in his last moments, who threw his son into prison where he expired, and seized upon his heritage by benefit of inventory! Such is the logic of the declaration on which we have just commented! Such are the politics of the government whose maxims of morality it expresses! Let us turn from this path of deceit and falsehood: we have seen what England has said, we shall now see what she has not been willing to say. The English government yielded, in making peace, to the cries of the people, the shame of being abandoned by other nations, the fear of long remaining singly in that bloody field, where so many miseries and so much ruin had been occasioned by its barbarous politics, and its obstinate and inhuman instigations. After the peace was concluded, it discovered that the war had cost it dear, and that the acquisition of Ceylon and Trinidad was not sufficient to satisfy the national pride, to compensate for the treasures it had squandered, and to allay the jealousy excited by the greatness and glory of France. It repented of the peace. It placed itself in a mixed position. It discovered dispositions of peace, and took measures of hostility; it protested its desire for the continuance of peace, and prepared at a distance pretensions for breaking it. In its measures, in the speeches of its ministers, in its diplomatic correspondence, we see it uniformly engaged in the two-fold object of coming to an open rupture, and of justifying its conduct in having effected that object. But in these measures, in the speeches of ministers, and in the diplomatic correspondence, this object is sufficiently apparent. The King's speech after the peace is a confession at his distrust of the peace. The speeches of ministers during the whole sitting of parliament were confessions of their distrust of the peace. The counter-order sent to the Cape of Good Hope was a positive confession of their desire to break the peace. In short, the delay of the evacuation of Egypt was an hostile determination, and the refusal to evacuate Malta an absolute and definitive violation of the peace.—What was the object of England in remaining in Egypt? She was already so powerful, that before her all regrets, all past humiliations ought to have vanished. To keep Egypt was to possess a position memorable as well as important, and the only post from Tunis to Constantinople. The banks of the canal had been broken, lake Mareotis enlarged, and Alexandria was become an impregnable town. From Alexandria it could support the revolt of the beys, assist them in becoming independent, excite them afterwards against each other, and maintain in Egypt a perpetual state of anarchy and dissention. Alexandria would have been another Bombay, and the beys, like so many divided nabobs, would have trembled before the power of England. From this step to unlimited projects of commerce, destruction, and invasion, nothing was necessary but time and the almost certain chance of the blindness of the nations of Europe, had not France happily stepped in to prevent its completion. The voyage of Colonel Sebastiani gave the first alarm. Hence have arisen the transports of rage, the outcries, and the complaints against the report of this voyage. Europe is not foolish enough to suppose, that the publication of a report to the First Consul, and complaints of the conduct of an English general towards a French colonel, would have caused so much clamour, if the bitter regret at beholding a vast plan of ambition laid open, did not discover itself under expressions of a vain and ridiculous susceptibility. These projects were well conceived. They required, on the part of England, only a garrison of 4000 men at Alexandria, and two or three million of livres, to stir up the misunderstanding between the beys. They required also, it is true, that the First Consul should wink at what was passing in Egypt; and here it is, that England has been deficient of foresight. But, disconcerted in this project, it did not abandon all hope, and Malta was pitched on to supply the place of Alexandria. Hence the importance attached to Malta in the discussions since the publication of Sebastiani's report; hence the efforts of England to retain that island. And how, in fact, can we suppose that England, preponderant over every sea, powerful in Europe, predominant in America, without a rival in India, rich in possessions, in colonies, in countries beyond the reach of the rest of the universe, would, for the sake of a miserable rock, have menaced, and even declared war, unless, in her secret views, this rock was not considered as the guarantee of the success of her ultimate plans of invasion, as the terror of Turkey, and the means of uniting her usurpations in India to those she foresaw she might one day attempt on the ruins of the Ottoman empire? England has not said all this; but facts speak louder than words. Colonel Sebastiani, escaped from the dangers of his journey, has reported what he has seen. The English have loaded this report with opprobrium, but they have not overthrown its assertions.—Nevertheless, their unveiled projects still remain, and still threaten the rights

and the repose of Europe. From their first theatre of action they have been dislodged, but the means and the end are the same. In quitting Egypt, they left there the germs of those divisions, which it was their interest to excite. One of the beys they have conducted to Malta, who will be for them a mean of communication, an hostage, and an instrument of cherishing in Egypt a constant spirit of disobedience, of corruption, and of anarchy.

We shall here conclude this long discussion with one important observation. It is a consolatory reflection for Europe, that public opinion, attentive and eager to learn whatever is connected with the happiness of man, and the interests of nations, possesses such a variety of means of arriving at the source of events, and of seizing, in the passions, the character, and the talents of those who govern, the source of those calamities which threaten to lay waste human nature. But these advantages which belong to, and indeed constitute the progress of civilization, will be attended with no useful result, if public opinion, in the midst of crimes of the deepest dye, remains indolent and mute; if she does not intimidate by her sentence, if she does not deter by her censure, those men unworthy or unfit to govern, who, from vain ideas of false pride, or from criminal views of retaining their exalted situations, compromise the discernment and justice of their sovereign, sport with the sufferings of the people, and unconcernedly balance the uncertain hope of aggrandizing themselves, with the certainty of embruing land and seas with blood, and of carrying to the four corners of the globe war, murder, and desolation. Posterity will doubtless detest the memory of these inhuman or unskilful men, who either will not or cannot govern without destruction, and whose whole administration presents one unvaried scene of violence, injustice, and rapacity. But contemporary governments should know, that the very character of the age they live in will be tarnished, if, from want of penetration, of courage, and of unanimity, their sentiments are not loudly manifested, if they do not teach the enemies of the human race, that infamy can reach all stations, that dishonour unarms all powers, and that in a social state of society, like that enjoyed by the nations of the nineneeth century, the enlightened opinion of the people, when it seasonably bursts forth, is alone sufficient for their vengeance, can arrest the course of public calamities, and prevent the return of crimes like that which the English government has recently committed, by violating, after ten months of peace, a treaty which the cries and entreaties of Europe, after ten years of disaster, had, with so much difficulty, obtained from its greedy and inhuman ambition.

THE FEDERAL CONSTITUTION OF THE SWISS CANTONS, AS SETTLED BY THE MEDIATION OF THE FIRST CONSUL OF FRANCE AND THE DEPUTIES OF THE CANTONS.

Dated Paris, February 19, 1803.

GENERAL DISPOSITIONS.—Art. 1. The 19 cantons of Switzerland, viz. Appenzell, Argovia, Basle, Berne, Fribourg, Glaris, Grisons, Lucerne, St. Gall, Schaffhausen, Schwitz, Soleure, Tessen, Thurgovia, Underweld, Uri, Vaud, Zug, and Zurich, are to be federally united, according to the principles of their respective constitutions. They reciprocally guarantee those constitutions, as well as their territories, liberty, and independence, either with a reference to foreign powers, or the usurpation of any particular canton, or the conduct of factions.—2. The contingencies, either in troops or money, which will be necessary for the due execution of those guarantees, are to be furnished by the respective cantons in the following proportions. —[*Here follows the quota, &c. which it is proposed each canton shall furnish.*]—3. There shall exist no longer in Switzerland provincial subjects, nor any species of privilege, either local, hereditary, personal, or appertaining to families.—4. Every Swiss citizen shall have the liberty of removing his residence from one canton to another, and freely to exercise his industry in any. It is permitted him to acquire political right in whatever canton he establishes himself. But he shall not enjoy, at the same time, political rights in more than one canton.—5. The ancient laws of commerce, external or internal, are abolished. The free exchange and circulation of commodities, cattle, merchandizes, &c. are guaranteed. All exclusive commercial privileges are abolished in the interior of Switzerland. The cusioms, &c. payable on the frontiers, shall go to the treasury of the adjoining canton; but the rates and proportions of these shall be submitted for the approbation of the diet.—6. Each canton shall reserve to itself the tolls destined for the repairs of the roads, keeping in order the banks of the rivers, bridges, &c. but the rates of these shall, as in the foregoing instance, be left to the discretion of the diet.—7. The monies coined in Switzerland shall be

of a uniform description, which is also to be determined by the diet.—8. No canton shall afford asylum to a criminal legally convicted, nor even to one legally accused.—9. The number of stipendiary troops to be supported in any one canton shall not exceed two hundred.—10. All partial alliances of one canton with another, or with any foreign power, is interdicted.—11. The government, or the legislative body of any canton which shall violate a decree of the diet, is liable to be cited as rebellious, before a tribunal composed of the presidents of the criminal tribunals of all the other cantons.—12. The cantons shall possess all those powers which are not expressly delegated to the federal authority.

OF THE DIRECTORIAL CANTON.—13. The diet is to assemble by rotation, and at annual periods, at Fribourg, Berne, Soleure, Basle, Zurich, and Lucerne.—14. The cantons, of which the above cities are the chief places, shall, in succession, become the directorial canton: the year for those purposes commences on the first of January.—15. The directorial canton shall provide suitable residence, and a guard of honour for the deputies; it also supplies the expences of the session.—16. The avoyer or burgomaster of the directorial canton, shall unite to those titles that of landamman of Switzerland. He shall have custody of the seal of the Helvetic republic. He cannot absent himself from the city. The supreme council of his canton shall accord to him an appropriate establishment, and shall defray the extraordinary expence of his official functions.—17. The foreign ministers are to present to the landamman their letters of credence, or of recall; and must apply to him on all matters of negociation. He has also in charge the other diplomatic concerns.—18. At the opening of the diet, he is to communicate to them the necessary information respecting the domestic and foreign concerns of the republic.—19. No canton shall be allowed to call out or put in motion more than five hundred militia, until it shall have apprized the landamman of Switzerland of such an intention.—20. In case of a revolt in the interior of any canton, or on any other pressing occasion, the troops of one canton may march into another canton: but this shall take place only on the requisition of the supreme or petty council of the canton which wants such assistance; and after taking the advice of the petty council of the directorial canton, the diet, however, is to be convoked after the cessation of hostilities, or if the danger continues.—21. If, during the vacations of the diet, any disagreement should arise between any two or more cantons, they are to address themselves to the landamman of Switzerland, who, according to circumstances, shall appoint conciliatory arbiters, or refer the case to the consideration of the diet on its next sitting.—22. He is to make known to the cantons every instance in which he deems their conduct likely to interrupt the tranquillity of Switzerland, and every thing which takes place of an irregular nature, and militating against either the federal act, or their particular constitution. He may, in some cases, convoke the supreme council, or that of the *Landsgemeindes*, in those places where the supreme authority is immediately exercised by the people.—23. The landamman of Switzerland sends, in cases of need, inspectors for the purpose of examining the state of the roads, rivers, &c. Where necessity requires it, he can direct the immediate execution of public works, and make the necessary arrangements with respect to the expences thereof, &c.—24. His signature attaches a national credit and character to those acts to which it is affixed.

OF THE DIET.—25. Each canton sends a deputy to the diet, who may be accompanied by one or two substitutes, who shall be eligible to act as such in case of the absence or indisposition of the principal.—26. The deputies to the diet are to have instructions and limited powers; they cannot vote contrary to their instructions.—27. The landamman of Switzerland is, *ex officio*, deputy of the directorial canton.—28. The 19 deputies, who compose the diet, shall have 25 votes in the deliberations, in manner as follows:—The deputies of those cantons, of which the population is more than 100,000 inhabitants, viz. those of Berne, Zurich, Vaud, St. Gall, Argovie, and the Grisons, shall have each two votes. The deputies of those cantons, of which the population is less than 100,000 souls, namely, those of Tessen, Lucerne, Thurgovie, Fribourg, Appenzell, Soleure, Basle, Schwitz, Glaris, Schaffhausen, Underwald, Zug, and Uri, shall have but one vote each.—29. The diet, at which the landamman of Switzerland presides, is to assemble the first Monday in June; its session shall not exceed the term of one month.—30. There shall be extraordinary diets on the following occasions: 1. On the demand of a neighbouring power, or of one of the cantons, supported by the supreme council of the directorial canton, which shall be assembled on such occasion, if not sitting at the time. 2dly. On the determination of the supreme council, or of the lands-gemeindes of five cantons, who can, on such an occasion, demand the proceeding, though the directorial canton may not concur in it. 3dly. When they shall be convoked by the landamman of Switzerland.—31. The declaration of war, and the treaties of peace or of alliance, emanate from the diet; but the concurrence of three-fourths of the cantons, on such occasions, is necessary.—32. It shall alone have the power of concluding treaties of commerce, &c. for the foreign service. It authorizes the cantons in case it shall deem expedient, to treat particularly in other concerns with a foreign power.—33. The diet has the direction of the contingent of the troops to be furnished by each canton, according to Art. 2. It appoints the commanding officer, and in short, adopts all the measures necessary for the security of Switzerland, and for the execution of the other dispositions of the first article: this power also comprises internal concerns.—34. It nominates and dispatches ambassadors extraordinary.—35. It decides finally upon all matters in dispute between the cantons. For this purpose it forms itself into a *syndicat*, but in such case each deputy has but one voice—neither are previous instructions necessary on this occasion.—36. The verbal process of the diet is to be entered into two registers, of which one remains with the directorial canton, and the other with the State Seal, which at the end of December is to be removed to the chief place in the directorial canton.—37. A Chancellor, and a Greffier, appointed by the diet for two years, and paid by the directorial canton (at the rate the diet shall think proper) shall always accompany the State Seal and the register.—38. The constitution of each canton, engrossed on parchment, and sealed with the seal of the canton, shall be deposited in the archives of the diet.—39. The present federal act, as well as those of the particular constitutions of the 19 cantons, shall abrogate and annul all anterior dispositions whatever that may be contrary to it; and no law relative to the internal affairs of the cantons, or to the relations between them, can be found on the ancient political state of Switzerland.—The repose of Switzerland, the success of the new institutions now forming, require that the necessary operations for carrying them into effect, and to transmit to the new Magistrates, the care of the

public happiness and welfare, be secured from the influence of the passions, and executed with moderation, impartiality, and wisdom.—We cannot hope for a prosperous issue unless the commissioners, named by the act of mediation, be animated by the spirit which dictated it.—By these considerations, we in our said quality, and with the reservations before expressed, do constitute as follows:—1. For the year 1803, Fribourg to be the directorial canton.—2. The citizen Louis d'Affry to be landamman of Switzerland for the said year, and invest him with the extraordinary powers until the assembling of the diet.—3. The original act of mediation shall be transmitted to the landamman, in order to be deposited in the archives of the directorial canton.—4. In each canton a commission of seven members, and of which one shall be appointed by us, and six chosen by the ten deputies selected to confer with us, is charged to put into activity the constitution, and to administer it provisionally.—5. These commissions are composed as follows: [*Then follow the names of persons appointed to fill the commissions of the different cantons.*]—6. On the 10th of March next, the central government shall dissolve itself, after having transmitted its papers and archives to the landamman of Switzerland.—7. Each commission shall assemble on the 10th of March, at the chief place of the canton, and notify its assembling immediately to the prefect.—8. Within 24 hours after that notification, the prefect shall transmit to the commission, the papers of administration.—9. In those cases which may require instructions, or special authorities, the commissions shall address themselves to the landamman of Switzerland.—10. On the 15th of April the commission shall be put into a state of activity, in order that on the 1st of June each canton may elect its deputies to the diet, and prepare their instructions, and on the first Monday in July, in the present year, the diet shall assemble.—11. The affairs pending before the Supreme Tribunal shall be carried to the Tribunal of Appeal of the canton in which the parties reside. The Supreme Tribunal shall cease all its functions on the 10th of March.—12. The Helvetic troops, at present in the pay of Switzerland, who shall not be employed by the 1st of May by the cantons, shall be taken into the service of France.—13. No prosecution shall be carried on for crimes relating to the revolution, committed, or pretended to be committed, either by individuals, or in the exercise of any public function.—The dissolution of the central government, and the reinstatement of the sovereignty in the cantons, requires that there should be a provision made for the discharge of the Helvetic debt, and of the disposal of the property declared national. We, in our said quality, and with the reserve before expressed, appoint as follows—Art. 1. The property heretofore belonging to the convents shall be restored to them, not only the property situated in the same canton but also in any other.—2. The administration of national property other than that heretofore belonging to Berne, in the cantons of Vaud and Argovia, is provisionally transmitted to the cantons to which it belonged. The documents respecting the claims of Berne, shall be provisionally transmitted to those commissioners appointed by the cantons of Berne, Vaud and Argovia.—3. In each canton burdened with debts anterior to the revolution, there shall be assigned funds for their funding or discharge, out of what remains of the property heretofore belonging to the canton.—4. There shall be re-constituted for each city a revenue proportioned to its municipal expences.—5. The national debt shall be liquidated, to which purpose all claim shall be appropriated. If the debt exceeds the amount of the credit in a proportion according to what remains of their ci-devant immoveable property, after the discharge of the cantonal debts anterior to the revolution, and the recomposition of the patrimony of the cities.—6. The moveable and immoveable property which shall remain after the formation of the communal funds, the discharge of the cantonal and national debts, shall return to the possession of those cantons to which it had belonged. The property which shall remain in the cantons of Vaud and Argovia shall be belong to them. What may remain of the claims of Berne, shall be equally distributed amongst the cantons of Berne, Vaud, and Argovia.—7. A commission composed of five members, namely, the citizens Stapfer, Minister of the Republic, Kuster, Ex-Minister of the finances, Raemy, ci-devant Chancellor of Fribourg, and at present member of the Administrative Chamber, Sutzer, of Winterthur, Helvetic deputy, Laurent, mayor of Lucerne, President of the Administrative Chamber, shall determine the extent of the wants of the municipalities, and of the funds necessary for re-constituting their revenues, shall liquidate the debts of the canton, and the national debt, shall assign to each debt the funds necessary to operate its discharge, and shall determine the property which shall return into the possession of each canton.—8. It shall publish the result of its labours with respect to the debts on the 10th of May, and with respect to the revenues of the cities and the patrimony of the cantons on the 10th of June: It shall send the result of each labour to the first landamman of Switzerland, and to each canton, for the purpose of being carried into execution.—9. The commission shall assemble at the chief place of the directorial canton, and shall remain there till the end of its labours. The present act, the result of long conferences between wise men and friends of virtue, appears to us to contain those dispositions which are most proper to ensure the peace and happiness of Switzerland. As soon as they shall be executed, the French troops shall be withdrawn.—We recognize Helvetia, constituted conformably to the present act, as an independent power.—We guarantee the federal constitution, and that of each canton, against the enemies of the tranquillity of Helvetia, whomsoever they may be, and we promise to continue those relations of beneficence, which for so many ages have united the two nations.—Made and done at Paris, 19th February, 1803.

(Signed) BONAPARTE.
The Secretary of State.
(Signed) HUGUES B. MARET.
The Minister for Foreign Affairs.
(Signed) C. M. TALLEYRAND.
The Minister for Foreign Affairs of the Italian Republic.
(Signed) J. MARESCALCHI.

The present act has been transmitted by the senators commissioners undersigned, to the ten Swiss deputies undersigned, at Paris, 19th February, 1803.

(Signed)
BARTHELEMY,
ROEDERER,
FOUCHE,
DEMEUNIER.

(Signed)
LOUIS D'AFFRY,
PIERRE GLUTZ,
EMMANUEL JAUCH,
H. MONNOT,
REINHARD,
SPRECHER BERNYS,
P. A. STAPFER,
PAUL USTERY,
R. DE WATTERVILLE,
DE MONTBENAY,
Y. VON FLUE.

PAPERS

PAPERS RELATIVE TO THE AFFAIRS OF THE UNITED STATES OF AMERICA.

AMERICAN CONGRESS.

The following letter from Mr. STANLEY, a member of the House of Representatives, from North-Carolina, to his constituents, contains a fair and impartial review of the proceedings of that body. Mr. STANLEY is a moderate opposer of the present administration of the United States; and in his remarks may be discovered the opinions of those in America, who formerly supported the governments of GEN. WASHINGTON and MR. ADAMS.

The attention of Congress was early called to a "violation, on the part of Spain, of the treaty between the United States and the King of Spain." To understand this business, you will recollect, that Spain holding the territory on the west of the Mississippi, extending to the Gulf of Mexico, and on the east of the Mississippi, south of the southern boundary of the United States, in the 31 deg. N. latitude, is consequently proprietor of both sides of the mouth of the river. The great difficulty, and in fact the impossibility at some seasons of ascending the river Mississippi in sea vessels, to a height convenient to receive the produce of our Western States, had convinced the United States of the necessity of obtaining from Spain the right to deposit our produce on their territory, from whence it was conveniently accessible by our ships; and also of securing to them the free use of this highway to market. These objects were obtained by the treaty concluded with Spain the 27th day of October 1795, by the 22d article of which it stipulated, "That His Catholic Majesty will permit the citizens of the United States for the space of three years to deposit their merchandize and effects in the port of New Orleans, and to export them from thence without paying any other duty than a fair price for the hire of the stores, and his Majesty promises either to continue this permission, if he finds during that time that it is not prejudicial to the interest of Spain, or if he should not agree to continue it there, he will assign to them *on another part of the banks of the Mississippi an equivalent establishment.*" It was now suggested that our ships had been excluded from New-Orleans, and the right of deposit prohibited. No information on this subject being given in the message of the President, the House of Representatives, on the 17th December 1802, by resolution, requested the President to "cause to be laid before the House such information in the possession of the department of state, as relates to a violation, on the part of Spain, of the 22d article of the treaty of friendship, navigation, and limits, between the United States and the King of Spain." From the communication of the President, in consequence of this resolution, it was ascertained that the Intendant of New-Orleans, the officer intrusted with the commercial concerns of the province, had by proclamation on the 16th of October 1802, interdicted the American right of deposit at New-Orleans, without assigning any other "equivalent establishment." It was also known, that the governor-general of Louisiana, at New-Orleans, did not condemn, but explicitly vindicated the measure. This act, directly violating a solemn treaty, producing immediately an immense loss to a great portion of our citizens, and viewed by many as the commencement of measures intended to deprive us of a place of deposit, and to obstruct the free navigation of the river, (rights essential to the prosperity of the Western States,) affected too deeply the honour and interest of the United States, not to merit the earliest and most serious consideration. The claim of this subject to attention was rendered peculiarly strong, as connected with the cession of Louisiana by Spain to France, placed within the notice of Congress by the President's mention of it in his message "as making a change in the aspect of our foreign relations, and entitled to just weight in deliberations of the legislature connected with that subject." To enable Congress to act with understanding on this subject, and to judge what measures if any were necessary to be taken, Mr. Griswold, on the 5th January, moved the following resolution:

"*Resolved*, That the President of the United States be requested to direct the proper officer to lay before this house copies of such

such official documents as have been received by this government, announcing the cession of Louisiana to France, together with a report, explaining the stipulations, circumstances, and conditions under which that province is to be delivered up, unless such documents and report will, in the opinion of the President, divulge to the House particular transactions not proper at this time to be communicated."

This resolution was opposed—That the province of Louisiana had been ceded by Spain to France—that this cession, if carried into effect, would change the aspect of our foreign relations, and therefore entitled to weight in legislative deliberation, were facts too deeply interesting to the United States to have escaped notice, even though they had not been pressed into the view of the legislature, and recommended to their attention by the high authority and solemn sanction of the President. An opposition, therefore, to a call for information—a call respectful in its terms, submitting the extent of the communication to the judgment of the President, was not to have been expected. The majority of the House discovered strong jealousy of this resolution, and after various unsuccessful attempts to have it considered, it was at length taken up and rejected. In discussing this resolution much extraneous matter was introduced; the only arguments which I could discover against the adoption of the resolution were, that such an enquiry implying a suspicion of unfriendly or improper conduct on the part of Spain towards us might irritate that nation; and that negociations were about commencing between our government and Spain and France. The doctrine advanced on this occasion, that although the transactions of a foreign nation shall be solemnly mentioned by the President in an official communication, as changing the aspect of our foreign relations, and entitled to weight in our deliberations; and although measures highly injurious to our rights and interest, and probably a consequence of this transaction, have been adopted, yet that a fear to irritate shall oblige us to forbear from enquiry; to shut our ears to any information on the subject, lest we discover a suspicion of unfriendly designs, that in fact (for it amounts to this) we shall never prepare to meet a hostile design until it is "known to us by its *execution*," is a doctrine not only novel but too palpably dangerous to be admitted as the real objection to this resolution. As to the objection on the ground that negociation was about commencing, let it be conceded that the direction of the negociation belongs solely to the executive, does it result, or can it be seriously contended, that under our government the determination of the *executive* to negociate, takes from the *legislature* their constitutional power of considering what measures are necessary for the public welfare? Such a doctrine can consist only with a supremacy in the executive—a doctrine at variance with the fundamental principles of our government. If the cession of Louisiana was a subject not proper for the consideration of Congress, why was it mentioned in the message? And if this consideration was rendered improper by the intention to negociate, why was that intention never communicated? The belief that there were yet other objections to this resolution not advanced by its opponents, forces itself on the mind, and is strengthened by the circumstance, that in their own resolution of 17th Dec. the transactions of New-Orleans were, without fear to irritate, openly and properly called "a *violation* of our treaty on the part of Spain." Surely, too, the President would not have hazarded the public safety by pressing on our notice in a public communication a transaction deeply interesting to our rights and interests, but which was covered with a veil not to be raised but with danger or indelicacy. The President knew it to be his duty to acquire information on the subject---to presume that he has not done so, would be to reproach him with reprehensible indifference to, and neglect of, our interests. Yet, improbable as the suggestion might otherwise be, the circumstances go far towards compelling a belief, that the President had neither sought nor obtained any *official* information on the subject, or that his enquiries had not been treated with that respect which is due to the American nation; and that a rejection of the resolution was resorted to as the only mode of shielding him from the mortifying disclosure. Mr. Griswold also moved the following resolutions:

"*Resolved*, That the people of the United States are entitled to the free navigation of the Mississippi.

"*Resolved*, That the navigation of the river Mississippi has been obstructed by the regulations recently carried into effect at New-Orleans.

Resolved, That the right of freely navigating the river Mississippi ought never

never to be abandoned by the United States.

"*Resolved*, That a committee be appointed to enquire whether any, and if any, what legislative measures are necessary to secure to the people of the United States the free navigation of the river Mississippi."

These were not acted upon, the majority *refusing to take the motion into consideration*. The following resolutions on the same subject were afterwards agreed to with closed doors:

"*Resolved*, That this House receive with great sensibility the information of a disposition in certain officers of the Spanish government at New-Orleans, to obstruct the navigation of the river Mississippi, as secured to the United States by the most solemn stipulations.

"That adhering to that humane and wise policy which ought ever to characterize a free people, and by which the United States have always professed to be governed; willing at the same time to ascribe this breach of compact to the unauthorized misconduct of certain individuals, rather than to a want of good faith on the part of his Catholic Majesty; and relying with *perfect* confidence on the vigilance and wisdom of the executive, they will wait the issue of such measures as that department of the government shall have pursued for asserting the rights, and vindicating the injuries of the United States; holding it to be their duty, at the same time, to express their unalterable determination to maintain the boundaries and the rights of navigation and commerce through the river Mississippi, as established by existing treaties."

To these resolutions it was objected, that the soft language of "sensibility" was inadequate to the expression, by the representatives of a free people, of the national sense of a great national wrong. That the resolution discovered a timid disposition in calling that a "disposition to violate" our treaty which was proved to us to be an actual and avowed, not a contemplated or suspected, infraction of the treaty. That it contained a declaration of "perfect confidence in the wisdom and vigilance" of the executive, and determination to wait the issue of measures pursued by that department, at a time that we had no knowledge whether any measures had been taken, and that it pledged the United States to wait the result of negociation, (the only measures the executive can pursue without the authority of congress,) when the interest and safety of the United States may render such delay dangerous, and demand measures, if not of action, at least of preparation. — Nothing urged in answer to these objections had the effect of obviating them in my mind. A separate question was taken on the different members of this resolution. Although many thought them liable to the objections I have stated, and would have preferred the adoption of those moved by Mr. Griswold, yet they united in the vote in favour of such principles as accorded with their own. The declaration of a sense of the wrong; the disposition to adhere to that humane and wise policy which should always characterize a free people, and by which the United States had always professed to be governed; and the determination to maintain the rights of boundary, and the free navigation of the river Mississippi, were *unanimously* agreed to. It was moved to strike out the declaration of *perfect confidence* in the wisdom and vigilance of the executive, and the determination to wait the issue of such measures as that department *shall have* pursued. On this question I voted in the affirmative, because the solemn vote of *perfect confidence* on an occasion where no such expression was necessary, and on a subject where the language of compliment or servility should not be heard, is only due to the exertion of those qualities in measures known and approved: whereas in the present case, so far from measures being known and found to merit approbation, we were left to conjecture whether any had been taken. Indeed the rejection of the call for information regarding Louisiana, ascribable only to the neglect of the executive to procure any; the want of *official* information what measures had been adopted, and the appointment of a minister extraordinary to negociate on this subject *not until after* these proceedings in the house, warrant the opinion, that at the time of this vote of confidence, the executive had not even taken those measures which his own judgment suggested to be necessary. In support of this blindfold vote of confidence it was argued, that it was the theory of our constitution to ascribe "wisdom and vigilance" to the executive in the exercise of powers confided to that department. Permit me here to remark, that it is the theory of the British government to attribute such "perfect wisdom and vigilance" to their king that it has become the maxim of their

constitution "that the king can do no wrong." If the theory of our constitution be as advanced on this occasion, it differs but in sound from the deformity of the British; and under ours, as under that "the theory and practice will frequently be at variance." I prize our constitution, as the rock of our safety. The obligation of an oath adds not to my disposition to support it: but neither my attachment or duty can induce me to ascribe "perfect wisdom and vigilance" to a branch of the government in particular where the evidence rather militates against, than supports the claim. —The motion to reject this part was lost.— Upon the question to agree to the whole resolution, those whose objections had not been obviated: who thought their vote of perfect confidence improper; having recorded their votes in favour of such parts of the resolutions as were necessary or proper; and believing that the resolutions submitted by Mr. Griswold, were preferable, and that no injury could arise, if those under consideration were rejected, voted against them. I concurred in this vote. To shew that those who differed from the majority in the preference of the resolutions adopted, to those moved by Mr. Griswold, were not, as malice or ignorance may suggest, necessarily advocates for immediate measures of hostility; and that on an occasion similar to the present, under an administration meriting and possessing the perfect confidence of the people, a line of conduct was pursued corresponding to that which it was the object of Mr. Griswold's resolution to obtain, I beg leave to recall to your recollection the proceedings of Congress in consequence of the unjustifiable order of the King of England to his naval commanders to capture our ships in the year 1793. At the opening of the session of Congress the President (Washington) communicated the subject to Congress, accompanying his communication with a copy of his instructions given by him to our Minister at the British Court for demanding redress.—The language of Washington on this occasion was: "There is a rank due to the United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be prepared to repel it. If we desire to preserve peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war." Had a fear to irritate those who had done us wrong, enfeebled the mind of that great man, he would have withheld until called for the information of the injury done us. But with the firmness which marked his character and which elevated the American character under his administration, he communicated the information uncalled for: Not afraid to trust the national council with a constitutional participation in devising measures for the preservation of our rights, he communicated also the instructions he had given for demanding redress. Just, as was the claim of this President to approbation, the legislature forebore from adulation. But with the independence of freemen and a promptness becoming the guardians of the rights of their fellow-citizens, they trusted not the safety and honour of their country to soft expressions of "sensibility"—they *acted*. They authorised the President to embody and call out 80,000 militia, if circumstances should render it necessary---they suspended, for a time by embargo, all commercial intercourse---they adopted and acted upon the opinion of their wise and vigilant President, "That to avoid insult we must be prepared to repel it."

On the 7th of January, the President nominated to the Senate James Monroe, as Minister Extraordinary to the Courts of the King of Spain and First Consul of France, to act in conjunction with our Ministers at these Courts to negociate, it is presumed, respecting the shutting the port of New-Orleans, and the cession of Louisiana. This gentleman was formerly our Minister to France, and was recalled by Washington for misconduct.

From the report of the Secretary of the Treasury, it appears that there was in the Treasury of the United States, on the 30th September 1802, in cash, dollars 4,489,675.

The receipts of the United States for the year ending the 30th Sept. 1802, was, dollars 15,258,453, which was derived from the following sources:

	Dolls.	*Cts.*
Duties on impost and tonnage,	12,298,938	6
Direct tax,	226,804	19
Sales of public lands,	179,575	52
Postage of letters,	50,500	
Proceeds of sales of bank shares,	1,287,600	
Dividends on bank stock,	39,960	
Pay't on acct. sales of armed ships,	212,342	83
Sales of prizes,	31,943	22
Internal taxes,	806,765	65
Miscellaneous,	124,028	64
Dolls.	15,268,258	11

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The expenditures of the government in same period were, dollars 13,667,501 27 cts.

The payments into the Treasury from duties on imports and tonnage being derived from bonds due for duties accruing before the late peace, the President reminds us "that the effect of peace is not yet fully ascertained."—This effect, though not fully ascertained, has yet evinced its operation. It appears from the statements from the Treasury Department, that the amount of duties on goods imported and tonnage secured in the last year, and which will form the receipt of the next, is dollars 2,256,895 less than the year preceding.

"The funds annually appropriated to the discharge of our debt, are, by act of Congress, under the direction of the Vice President, the Secretary of the Treasury, the Secretary of State, the Attorney General, and the Chief Justices of the United States, who are styled the "Commissioners of the Sinking Fund." Of these commissioners the Secretary of the Treasury is the agent, the power of the others is barely nominal. The commissioners have laid before Congress at the present session, a report of the Secretary of the Treasury made to them, containing a detail of the measures pursued in the year 1802, in relation to their duty. It does not appear that the Chief Justice of the United States had been consulted on these proceedings: his name does not appear to the report.---This report of the Secretary of the Treasury states,

"That during the year 1802, there has been drawn from the Treasury of the United States, on account of principal and interest of the domestic debt, the sum of stiv. 9,372,752 28

"That of the money drawn from the Treasury in the year 1801, which remained unapplied at the expiration of that year, and was applicable to the Dutch debt, there was 2,313,846 guilders 10 stivers, equal at 40 cts. each guilder to 925,538 40

Forming the sum in their hands in the year 1802, 10,298,290 68

"Of this sum the Secretary renders the following account:

"1. That to the payment of interest on the debt accrued in the year 1802, there has been applied dolls. 4,065,738 47

"2. To the reimbursement of principal of domestic debt, 1,290,000

Dutch debt, due in 1802 1,344,000

Making the sum *actually applied* to the discharge of the debt, in the year 1802, dolls. 6,699,738 47

"3. That to meet the instalment of domestic debt, first due in the year 1803, they have retained the sum of dolls. 1,117,869 37

"The Secretary further states, that at the close of the year 1802, there remained (exclusively of protested bills outstanding, and *unapplied* balances in the hands of agents) *an unapplied* balance of guilders 5,914,606 10 stivers, applicable to the payment of Dutch debt, in the year 1803, equal to dolls. 2,365,842 40

"Making the sum drawn from the Treasury in the year 1802, but *not applied* in that year, dolls. 3,483,711 77

"If to the sum which is stated to have been *applied* to the reduction of the debt in 1802, viz. stiv. 6,699,738 47 be added the last sum, stated to be in the hands of agents, and *not applied*, viz. dolls. 3,483,711 77

"The sum, accounted for in some way or other, is dolls. 10,183,450 24

which deducted from the sum in their hands, dolls. 10,298,190 68 leaves a balance, which the report does not account for in any way, dolls. 114,740 44

"From these facts I am led to remark, that the act of last session placed among the proudest plumes of the present administration, entitled "An Act providing for the redemption of the whole public debt of the United States," makes it expressly the duty of the commissioners of the sinking fund to apply annually the sum of 7,300,000 dollars to the discharge of the debt---and that it appears the sum of dollars 6,699,638 47 only has been applied in the year 1802---leaving a deficit of dollars 600,261 53. As to the large sum of 3,483,711 dollars *drawn from the Treasury, and not applied*, it would have been more satisfactory to "that jealousy which, however detestable in private, is the loveliest trait of political character," had we been informed in whose hands as agents this immense sum was resting. As to myself, I should be glad to have been informed what necessity induced the drawing so large a sum from the Treasury, so long before it was to be applied? Why money was remitted to Europe (if the fact be so) to meet a debt not yet due, at a time that a balance of 600,000 dollars remained, as it still does, unpaid of the sum expressly required to be paid in each year. And I cannot repress the expression of my astonishment and alarm, that the Secretary of the Treasury in an official report, professing to account for the due application of dollars 10,298,190 68, after vaguely stating dollars 3,483,711 77, to be unapplied and in

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the hands of agents; should, notwithstanding, leave a balance *wholly unaccounted for* of dollars 114,740 44."

The president, in addressing the present Congress after a review of our revenue, and the payments on account of the debt, remarks, "When effects so salutary result from the plans you have already sanctioned; when merely by avoiding false objects of expence, we are able without a direct tax, without internal taxes, and without borrowing, to make large and effectual payments towards the discharge of our public debt, and the emancipation of our posterity from that mortal canker, it is an encouragement of the highest order to proceed as we have begun in substituting economy for taxation, and in procuring what is useful for a nation placed as we are, rather than what is practised by others under different circumstances." The constitution requires of the president that he should give Congress information of the state of the union, and recommend such measures as he may judge necessary and expedient. Perhaps it would comport better with the dignity of the first magistrate, if in discharging this duty he should not feel himself emancipated from the obligations imposed by official propriety. If he should refrain from such reflections as are evidently intended to establish his own reputation by casting reproach on his predecessors, or avoid such a display of measures and professions as argue a thirst for popularity; as his own feelings must regulate his conduct in this particular, it is at his option to adopt or reject such stale instruments for procuring popular favour. So far, however, as I deem them disingenuous or unfounded, it is my duty and a right I feel disposed to use, to examine his statement. The remarks I have quoted from the message are predicated on the state of our revenue, "resulting (says the president) from the plans *you* have already sanctioned." Now it is an indisputable truth, that the plans adopted under the present administration have been to *diminish* and not to increase the revenue. By the repeal of the internal taxes, in which I concurred, though I wished to retain such parts of them as fell on luxury and wealth, the revenue was lessened near one million of dollars per year. No one measure has been adopted, or in the language of the message, "sanctioned" in the present administration which adds one cent. a year to the revenue of the United States. The regulations of commerce, under which the duties from imports and tonnage arise and are collected, remain as established by the former administration. The progressive increasing population, wealth and commerce of the United States, occasioned the regular annual increase of this revenue, and in the usual course, the receipts of the last year were greater than the former.---But says the message, this state of things is the result "merely of avoiding false objects of expence." Some diminution of expenditure has indeed been made under the present administration, but they have in a very great degree resulted from the change in our situation and circumstances, not been produced, I presume to say, by the present administration. Let it be remembered, that in the few years preceding the accession of the present administration, millions were necessarily expended for securing and protecting our commerce, to which not only the agricultural, but every other interest owes its prosperity. Light houses and fortifications were erected---Insurrections, Indian and Algerine wars exhausted large sums; by depredations of the English, French and Spanish nations, property supposed to exceed thirty millions of dollars, was lost, and the revenue consequently greatly diminished. Naval sites and arsenals were established: arms and ordnance to a large amount purchased; and armouries for manufacture of arms set in operation. A navy was not only built which restored our commerce and revenue; but when on the return of peace its longer support on the first establishment was rendered unnecessary, most of the ships were sold, by which measure the amount of the annual expenditure of the navy was greatly lessened; and the proceeds of the sales brought back into the Treasury, to form a part of that aggregate which the message suggests to be the result of the "mere avoiding false objects of expence." The great objects, therefore, of expence, upon which much money was expended by the former administration, are the erection of light houses and fortifications —suppressing insurrections; establishing naval sites and arsenals; the purchase of arms and ordnance; establishing armouries, and protecting commerce against Algerine and French pirates by building a navy. Let any candid man reflect whether, under the same circumstances, the present administration ought not to resort to the same measures.—Whether the injustice and violence of foreign nations may not compel us

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at any time, and however pacific the disposition of the administration, to resort to measures of defence, and then let him say whether these were false objects of expence. There are however other objects of expence not adopted, or rather "avoided," by the present administration,—such as the reduction of the expence of the judiciary department by the repeal of the judicial system adopted February 1801—the reduction of the army, and the dismissing the officers employed in collecting the internal taxes. The expenditure retrenched by the repeal of the judiciary was surely not the cause of our former poverty or of our present wealth, because the system repealed had been in operation but one year, and the saving does not exceed thirty thousand dollars, a sum less than the expence of repealing it.

The reduction of the army was justified in my estimation and supported by my vote; but I am of opinion, that while our differences subsisted with the European powers with whom we were contending---the force retained was necessary to garrison our forts and guard our frontiers. The restoration of harmony, which authorised a reduction of the navy, justified a like reduction of the army. A change of circumstances had in this instance rendered that force useless, which a few months before had been indispensable. By repealing the internal taxes the expence of collection was dispensed with. This measure did not expedite the discharge of the debt or replenish the treasury; for while it saved the expence of one hundred thousand dollars, it prevented the receipt of ten times that sum. I cherish the hope that neither the public fate nor public safety may require a resort to direct for internal taxes, or to loans. But however sincere the present administration may be to avoid these measures, yet it certainly is not correct to claim as a merit due to them, that they have replenished our treasury, and reduced the debt, "*without*" these aids; because the documents from the Treasury department shew, that they have received from the direct tax and internal taxes, the large sum of two millions seven hundred and sixty thousand dollars. The arrears of taxes yet unpaid, are estimated by the Secretary of the Treasury, at upwards of one million of dollars, which will also be at the disposal of the present administration. It appears then, that the present administration have the benefit of near four millions of dollars from the direct tax and internal taxes.

The present administration have done much. With the happy fortune of receiving the government and every branch of its revenue, "in the full tide of successful experiment;" unembarrassed by foreign dissentions: relieved from the necessity of great expenditures on national objects which their predecessors had completely or greatly advanced. With an increasing population, commerce and wealth; and a revenue yielding them in two years the immense sum of thirty-one millions of dollars; much was to be expected. Let any candid and intelligent American review these things; he will see with pleasure and with pride the prosperous situation of our country; but he must admit that we do not owe it to the "plans sanctioned" or false "objects of expence avoided" by the present administration. The planter who succeeds to the possession of a farm already well improved and planted, should be content with reaping the profits of the industry and skill of his predecessor, without detracting from his merits. He derives no merit from the boasts—I have gathered an harvest which I might have destroyed.

The President recommended to Congress, to appropriate a sum of money for erecting at this city a dry dock, in which, by employing water drawn from a source above the level of the tides, as practised in lock navigation, the ships of our navy might be placed "on a dry and sheltered bed," in which situation the progress of decay would be arrested. The estimate of this work submitted to the President was four hundred and twenty thousand dollars. No subject can more justly merit the attention of the legislature than the preservation of our navy: the solicitude of the President on this occasion is honourable to him; but unfortunately the project, by every light afforded by philosophy or experience, was judged not to be adapted to its object, and would be less conducive to the preservation than to the destruction of the navy. After some discussion it was agreed, without a dissenting voice, to permit the subject to rest without a decision.

At the last session of Congress, a proposition was made for repealing the several acts of Congress, by which foreign ships arriving in our ports are liable to higher tonnage duty than our own, and goods imported in them subjected to an additional duty of 10 per cent.; the repeal to take effect whenever it should be ascertained that any foreign

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nation had adopted the same policy towards us, by a repeal of their discriminating and countervailing duties. The question was not decided at that session. It is understood that our minister at London was instructed to propose this subject to the British government, and that in consequence of this communication, the British Parliament passed an act, authorizing their King to abolish their discriminating and countervailing duties, upon the event of the United States concurring in the measure. At the opening of this session of Congress, the President says, he "communicates with satisfaction" the act of the British Parliament, and submits to Congress the propriety of meeting them, in the abolition of these duties. The committee of commerce and manufactures, to whom this subject was referred, made a detailed report, which concludes by recommending a resolution for repealing the acts imposing discriminating duties. While this resolution lay on the table, the chambers of commerce of Philadelphia and New-York, and some other cities, and the mechanics of New-York, petitioned against the measure. They state in substance, that experience under these acts had proved their benignant effects: that our shipping had increased to an amount sufficient for carrying all our productions intended for exportation and the importation of such articles as are necessary for our home consumption. That by a repeal of these duties the ships of Great Britain would be permitted to bring us the products and manufactures of all countries, while by the operation of their navigation act, we should be restricted in our trade to that nation to the carriage of goods the growth or production of our own country only; that the vessels of all nations would be allowed equal privileges with American built ships, without any equivalent on their part: That the European nations not only build and equip their ships much cheaper, but also navigate them at much less expence than we can, which advantages in their favour must prevent our competition with them in navigation, and leave American vessels idly to rot in our docks. They all conclude with expressing a confidence that repealing our discriminating duties would discourage shipbuilding, deprive us of the profits at present derived from the employment of American vessels, and make us dependent on foreign nations for the exports of the products of our soil; that it must be prejudicial to various important interests in the community, detrimental to the revenue of the country, and, in a national point of view, extremely impolitic. The subject was postponed from day to day, and at length the friends of the project consented to let it pass undecided this session. Whether this abandonment proceeds from a hope that delay may enable the friends of the measure to repel the objections urged so strongly, and from sources so respectable, or is the result of a conviction of the inexpediency of the measure in the minds of those who first cherished it, I cannot decide.

Our affairs with Tripoli remain as they were at the close of the last session of Congress; neither restrained by a regard to justice, nor intimidated by the apprehension of our force, those pirates continue to cruise against our ships engaged in the Mediterranean trade. The public armed ships stationed there have proved sufficient to watch them so closely, that one merchant ship only has fallen into their hands, and this might have been re-taken, but for the danger of our large ships venturing near the shore to intercept the prize conducted by their small gallies. To render the protection to this trade more effectual, the House of Representatives, without a dissenting voice, passed a bill, appropriating 96,000 dollars for the building or purchasing four small vessels to carry sixteen guns each, which, in conjunction with our force already in the Mediterranean, will, it is not doubted, prevent these pirates from venturing into the sea. This bill was returned from the senate, with an amendment, appropriating 500,000 dollars for the building fifteen gunboats. When this amendment was under consideration in the house, information was asked for what purpose these gun-boats were intended? It was suggested that they were not necessary for the Mediterranean service, and not calculated to supply the place with revenue cutters. In reply, it was intimated they were to be employed, if necessary, on the Mississippi: upon this information the amendment was agreed to. Thus we see the gentleman, who in January manifested the amiable disposition of relying on declarations of "sensibility," and the magnanimity of an aggressing neighbour for redress of injuries done us, who at that time refused peremptorily even to consider whether preparations for defence, if necessary, should not be adopted, seem now, so far as we

we can judge from this measure, to incline to the opinion, that *acts* may be efficacious where words will fail: and that waiting with perfect confidence for negociation to "vindicate our injuries," may be beautiful in theory but dangerous in practice.

At the last session of Congress the President communicated the articles of agreement and cession entered into between the commissioners appointed on the part of the United States, and the commissioners on the part of the State of Georgia, by virtue of an act passed May 1800---for the amicable settlement of limits with the State of Georgia. By these articles, Georgia cedes to the United States all her right to the jurisdiction and soil of the territory lying on the Mississippi, south of the State of Tennessee, north of the Spanish provinces of Florida, and west of a line beginning on the river Chatahouchie, where the Spanish boundary crosses the same, and runs up that river to the great bend thereof, next above the creek called "Uchee," then a straight line to Nickajack on Tennessee river, and with that river to the Tennessee line.---On the part of the United States it was stipulated that there should be paid to Georgia from the first sales of the lands thus ceded, 1,250,000 dollars, and that a land office for the disposition of the vacant land thus ceded, should be opened within one year after the assent of Georgia to the agreement.

That actual settlers, under titles from the British government of West Florida, or the Spanish government, or an act of Georgia, called the Bourbon-act, should be confirmed in their titles---that the lands ceded should be a common fund for the benefit of the United States, with the reservation of five millions of acres, which the United States might apply to the satisfaction of claims other than those before recognized.

That the United States should extinguish the Indian title to the county of Tallissee, in the State of Georgia.

That the territory thus ceded shall form a State when it shall contain 60,000 free inhabitants.

The State of Georgia, by an act passed June 1802, have ratified the agreement of the commissioners, which has become obligatory also on the United States. In this session an act has passed the House of Representatives, and is now before the Senate, for opening a land-office in this territory. This bill prescribes, that a surveyor be appointed by the President, who shall survey all the lands in the territory to which the Indian title has been extinguished into townships of six miles square each, which shall be subdivided into sections of 640 acres, and half sections of 320 acres each; plats of which surveys shall be filed with the registers in the territory, and with the Secretary of the Treasury. That the President by proclamation shall appoint a day on which all the said land shall be offered for sale to the highest bidders, in lots of sections and half-sections; but no sale shall be made at less than two dollars per acre. The lands unsold at the expiration of three weeks shall be disposed of by the registers of the land-office, at the same price (two dollars per acre) and in the same manner as the United States lands north west of the Ohio are disposed of. The terms of sale in both cases are:

That the purchaser shall pay at the rate of six dollars for every section he may purchase, for surveying expenses---he shall deposit one-twentieth part of the purchase money, to be forfeited, if within forty days he fail to pay one fourth part of the whole purchase money. One fourth part of the purchase money shall be paid within forty days---one fourth within two years---one fourth within three years---and one fourth within four years after the day of sale, with interest at six per cent. from the day of sale, on the three last payments. A discount of eight per cent. a year shall be allowed on any of the three last payments, if anticipated.

By this bill, the titles of persons actually settled within the territory, under Spanish and British grants, and under the Georgia Bourbon act, are confirmed. A right of pre-emption is also given to persons, who, at the time of passing the act, shall be actually settled on lands of the United States without title.

The claims other than those expressly provided for in the articles of agreement, and for the satisfaction of which the right to dispose of 5,000,000 acres of land were reserved, being very considerable in their amount, and extraordinary in their nature, a brief account of them may not be unacceptable.

[Mr. S. here adverts to the claim of the *South Carolina Yazoo* Company, under an act of the State of Georgia of Dec. 1789. This claim, it will be recollected, was attempted to be supported before the supreme court of the United States, in a suit against

the State of Georgia, but which was terminated by an amendment of the constitution, relative to the sutability of States. The controversy was afterwards referred to the Secretary of the Treasury, Secretary of State, and Attorney General, as Commissioners on Georgia claims, who reported that "there was no equitable claim either for the land, or compensation from the United States." The other class of claimants consists of those companies which engaged in the celebrated Georgia speculation under the act of the legislature of that state, of 1795; but whose bright prospects were cut off by "the rescinding act" of the legislature in the subsequent year, and who received back the purchase money. These companies now apply to Congress for 8,500,000 dollars, for which they propose to relinquish *all their claim.*

Upon these claims the Commissioners report, "that they feel no hesitation in declaring that the title of these claimants cannot be supported." But they add, "that the interest of the United States---the tranquility of future settlers, and various equitable considerations, render it expedient to enter into a compromise on reasonable terms. They therefore submit a plan of indemnity to the claimants, viz.

That the residue of the 5,000,000 acres reserved for this purpose, after satisfying the claims of settlers and others as recognized by the articles of agreement with Georgia, shall be granted the claimants under the act of Georgia of 1795, to be located on lands to which the Indian title is not yet extinguished---or that the said claimants shall receive certificates, bearing interest after the 1st of January 1804, for 2,500,000 dollars, or at their option, certificates for 5,000,000 without interest, to be paid out of the sales of the land, after the payment stipulated to be made to Georgia.

Although it cannot be ascertained that the purchasers from the original companies had notice of the fraud in which the transaction was founded, yet there is strong reason to presume they were apprised that the title was questionable; because in the conveyance to them a special warrantee only is found against the acts of the granters, and a special covenant "that the granters shall not be liable to refund any money in consequence of any defect of title from the state of Georgia."

A bill is before the House of Representatives, predicated on this project of the commissioners. Its fate I consider doubtful—my own impressions are, that the claimants under the act of 1795 have no equitable claim on the United States. This being also the opinion of the commissioners, I conceive it improper for the United States to sanction a fraud so vile. The claim under the act of 1789 has much equity, because by the same kind of testimony which proves the fraud in the act of 1795, there is strong reasons to believe the intention of the act of 1789 was to receive the evidences of the debt of the state in payment of the purchase money: Nor can I believe that "the interest of the United States, the tranquility of the future inhabitants, or equitable considerations," should induce a distinction in favour of the claimants under the fraudulent act of 1795, in preference to the honest but perhaps mistaken purchasers of 1789. I am the more satisfied in the decision to vote against this grant, because it is questionable whether Georgia ever had a right to grant this land; and if the claimants have a good title, they can support it in the courts of the United States.

Early in the present session, a resolution was submitted to abolish the mint: this has not been acted upon; but the disposition of the House I judge to be in favour of preserving the establishment, an appropriation having been made in the general appropriation bill as passed by the house, for the support of the mint, in the year 1803, and a bill being before the house for continuing the establishment at Philadelphia, two years longer.

From the report of the director of the mint it appears that there was coined at the mint in the year 1802,

In Gold coins,	dolls. 423,350	
Silver,	58,343	
Copper,	34,422	83
Total amount of coins issued in 1802,	dolls. 516,115	83

That on the coinage of the above quantity of copper, a profit has arisen of dollars 5,644 82; the expenditures of the year was, dollars 17,462 65, deducting from which the gain on copper, the expence is reduced to dollars 11,818 83. When this sum is contrasted with the advantages of adding 500,000 dollars to the circulating cash of the country, coined principally from bullion, which would otherwise be exported; when it appears that the result of the institution is a national profit, the saving of the reduced

sum of expenditure cannot render necessary the destruction of this institution.

I have the honour to be, &c. &c.

JOHN STANLEY.

WASHINGTON, MARCH 1803.

LIST OF ACTS passed during the second session of the Seventh Congress of the United States of America, held at the city of Washington, from December 6, 1802, to March 4, 1803.

1. An act for the relief of Charles Hyde.

2. An act authorising the sale of a piece of land, parcel of the navy yard belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation.

3. An act for the relief of Henry Messonnier.

4. An act for the relief of the sufferers by fire, in the town of Portsmouth.

5. An act to provide for the granting of clearances to ships or vessels owned by citizens of the United States, lying in the river Mississippi, south of the southern boundary of the United States; and therein to amend an act, intituled "an act to regulate the collection of duties on imports and tonnage;" and for other purposes.

6. An act in addition to an act, intituled "an act fixing the military peace establishment of the United States."

7. An act supplementary to the "act concerning consuls and vice-consuls," and for the further protection of American seamen.

8. An act to provide an additional armament for the protection of the seamen and commerce of the United States.

9. An act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited.

10. An act in addition to an act, entituled "an act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States."

11. An act for continuing in force a law, intituled "an act for establishing trading houses with the Indian tribes."

12. An act for the relief of Moses White.

13. An act in addition to an act, intituled "an act concerning the registering and recording of ships and vessels of the United States," and to the act entituled "an act to regulate the collection of duties on imports and tonnage."

14. An act supplementary to the act, intituled "an act providing passports for ships and vessels of the United States."

15. An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and three.

16. An act making appropriations for the support of government for the year one thousand eight hundred and three.

17. An act in addition to the act, intituled "an act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia."

18. An act concerning the salt springs on the waters of the Wabash river.

19. An act concerning the insurance of buildings, goods and furniture, in the county of Alexandria, in the territory of Columbia.

20. An act in addition to and in modification of the propositions contained in the act, intituled "an act to enable the people of the eastern division of the territory north-west of the river Ohio, to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes."

21. An act to make Beaufort and Passamaquody ports of entry and delivery; to make Easton and Tiverton ports of delivery; and to authorise the establishment of a new collection district on Lake Ontario.

22. An act more effectually to provide for the organization of the militia of the district of Columbia.

23. An act for the relief of insolvent debtors within the district of Columbia.

24. An act to prolong the continuance of the mint at Philadelphia.

25. An act in addition to an act, intituled "an act to amend the judicial system of the United States."

26. An act making appropriations for the military establishment of the United States for the year one thousand eight hundred and three.

27. An act to revive and continue in force an act in addition to an act, intituled "an act in addition to an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the heathen;" and for other purposes.

28. An act authorising the transfer of the duties of supervisor to any other office.

29. An act concerning the city of Washington.

30. An act for the relief of Joshua Havey, and others.

31. An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee.

32. An act to provide for the due execution of the laws of the United States within the state of Ohio.

33. An act to alter the time of holding the court of the United States in Kentucky district.

34. An act to alter the time for the next meeting of Congress.

35. An act directing a detachment from the militia of the United States, and for erecting certain arsenals.

American Official Documents, presented, at various times, to the Congress of the United States, concerning the Revenues, Expenditure, Public Debt, Trade, Tonnage, Seamen, and Fisheries, of those States.

REPORT *laid before the House of Representatives, on the 16th of December 1802, by the Secretary of the Treasury, concerning the Revenue and Expenditure of the United States.*

In obedience to the directions of the act supplementary to the act, entituled, "An Act to establish the Treasury Department," the Secretary of the Treasury respectfully submits the following Report.

The permanent revenues of the United States, exclusively of fees, fines, and penal-

ties, which, in a general view of the subject, may be omitted, consist of duties on merchandize and tonnage, proceeds of the sales of public lands, and duties on postage.

The duties on postage, which were, in the annual report of last year, estimated at 50,000 dollars, have, during the year ending on the 30th day of September last, yielded 50,500 dollars. The decrease of ship letters, the extension of the establishment through unproductive roads, and the acceleration of the progress of the mail, may, however, cause some defalcation in the receipts of the ensuing year.

Three hundred and twenty-six thousand and fifty-two dollars and eight cents have been received during the same year, on account of public lands, of which sum, 17,162 dollars and 50 cents were paid in the Treasury, in evidences of the public debt, and 179,575 dollars and 52 cents specie; the local situation of the land offices not having yet rendered it practicable to draw the balance from the receivers of public monies.

Three hundred and forty thousand acres of land have been sold for six hundred and eighty thousand dollars, during the year ending on the 31st day of October last; of which quantity near ninety-seven thousand acres were sold on account of pre-emptions claimed by purchasers under *John Cleve Symmes*, and two hundred and forty-three thousand acres are the result of *Current Sales*. The annexed statement (A) designates the quantities respectively sold in the several districts, and the annual payments receivable on account of the balance of nine hundred and sixty thousand dollars due on these and on the preceding sales.

From those several results it appears probable that the annual receipts under this head will not, on an average, fall short of the sum of four hundred thousand dollars, at which they have been estimated.

Although it had been anticipated that the receipts in the treasury, on account of duties on merchandize and tonnage, could not, for the present year, be affected by the restoration of peace in Europe, yet the sum actually paid has exceeded the most sanguine expectations: twelve millions two hundred and eighty thousand dollars have been received during the course of the year ending on the 30th day of September last; a sum larger, by two millions of dollars, than the amount received for the same duties during the preceding or any other year, and which exceeds, by twelve hundred thousand dollars, the aggregate heretofore collected, in any one year, on account of both the impost and the internal duties, repealed by an act of last session.

This excess, which had not been calculated upon, is considered alone as amply sufficient to cover any possible defalcation which might, during the next and ensuing year, reduce that branch of the revenue below last year's estimate, of *nine millions five hundred thousand dollars*. Such defalcation is not, however, apprehended; for although there are not yet sufficient data precisely to ascertain the effect of peace on the amount of duties, those which are in the possession of this department tend to corroborate the presumption, that that sum at least (nine millions and a half,) will hereafter be annually received. The statement (B.) which exhibits a comparative view of that revenue for each quarter during the two last years, shews that the amount of duties accrued, during the nine first months of the present year, exceeds eleven millions three hundred thousand dollars; and after deducting three millions five hundred thousand dollars, amount of debentures issued during the same period, on account of the re-exportations of foreign goods, leaves for those three quarters a balance of more than *seven millions eight hundred thousand dollars*, subject to no other deduction than the expences of collection; and from the knowledge already obtained of the comportations during the present quarter, as well as from the gradual diminution of re-exportations, no doubt remains that the net revenue, accruing during the whole year, will exceed the estimate.

From present appearances, the whole of the permanent REVENUES of the UNITED STATES may therefore be reasonably computed at *ten millions of dollars*---of which sum, seven millions three hundred thousand dollars are appropriated for the payment of the principal and interest of the *public debt*, and two millions seven hundred thousand dollars are applicable to the current expences of government.

According to the estimates for the year 1803, those expences will, exclusively of a sum of 180,000 dollars, wanted to cover the navy deficiencies of the years 1801 and 1802, but including sundry permanent appropriations, which make no part of the annual estimates, amount to 2,660,000 dollars, to wit;

For

	Dolls.
For the Civil Department, and all Domestic Expences of a civil nature,	680,000
For expences attending the intercourse with Foreign Nations, including prize causes, and *Barbary powers*, -	250,000
For the *Military* and *Indian* departments,	830,000
For the *Naval* establishment, calculated on a supposition that six frigates shall be kept in constant employment,	900,000
Dollars	2,660,000

Neither the payments due on account of the convention with Great Britain, and which will, for three years, amount annually to eight hundred and eighty-eight thousand dollars, nor the installments and interests due on account of the 200,000 dollars loan obtained from the state of Maryland, for the *city* of *Washington*, are included in that calculation, as they may be defrayed out of the following resources, which make no part of the permanent revenues, viz.

1st, The surplus of specie in the treasury, which, as the whole amount there will not at the close of the present year, fall much short of five millions of dollars, far exceed the sum which it is prudent to keep.

2dly, The uncollected arrears of the direct tax, estimated at *four hundred thousand dollars*;

And 3dly, The outstanding uncollected internal duties, amounting to near *seven hundred thousand dollars*.

The only embarrassment experienced during the course of last year, arose from the difficulty of procuring remittances necessary to meet the large installments of the *debt* due in *Holland*. The impossibility of obtaining bills on that country, to the amount wanted by government, and the loss which, on account of the rate of exchange, must be incurred, by remitting circuitously through England, induced the secretary of the treasury to recommend, in a report to the commissioners of the sinking fund (marked C.) a recourse to bank stock as the most favorable mode of remitting,

Of the five thousand shares in the stock of the bank of the United States, originally subscribed by the United States, 2,780 shares had been sold in the year 1796 by virtue of the act, intituled "*An act making provision for the payment of certain debts of the United States*;" and for the purpose of discharging a part of the debt due to the *bank*. The remaining 2,220 shares were now, under the same authority, sold at 45 per cent. advance; the 1,287,600 dollars which they produced were, in conformity to the provisions of the said act, applied towards discharging an equal amount of that part of the debt which had become due to the bank before or during the year 1796; and the purchaser of the stock sold, at the same time, to the treasury, an equal sum in bills on Holland at 41 cents per guilder; the securing of which large amount at that rate was the inducement on the part of government to dispose of the bank stock on those terms. As the dividend usually received on the bank stock sold, and the annual interest payable on the debt due to the bank, thus extinguished, were nearly equal, the July half yearly dividend on the stock was in fact the premium paid for the purpose of effecting the remittance; and government has hereby been enabled to obtain, without raising the price of exchange, the whole amount wanted to meet the payments due in Holland till the month of September 1803.

Exclusively of, and in addition to, the debt of 1,287,600 dollars thus paid to the bank out of the proceeds of the sales of bank shares, a sum of eight millions three hundred and thirty-four thousand, seven hundred and fifty-seven dollars, and eighty-nine cents, has been paid out of the treasury during the year ending on the 30th day of September last, on account of the principal and interest of the *public debt*, and the payments in part of the principal of the debt, made during the same period, have been as follows:

1st. The payments on account of the principal and interest of the domestic debt, have been	dolls.		4,628,105 39
From which deducting one year's interest on the same			3,470,259 75
Leaves a sum applied to the disbursement of the principal of the six per cent. and deferred stocks, of			1,157,845 64
2d. Paid to foreign officers, and for the registered debt,			9,603 18
3d. Principal of domestic loans, (exclusively of the 1,287,600 dollars paid out of the proceeds of bank shares)			202,400 00
4th. Evidences of public debt paid for lands,			17,162 50
5th. The payments on account of the principal and interest of the foreign debt have been		3,310,874 32	
From which sum deducting one year's interest and charges, equal to	462,731		
And on account of the different rates at which bills have been purchased, and of sundry bills returned for non payment, & now in suit, a farther sum of	82,284 94		
		545,015 94	
Leaves applicable to payment of the principal,			2,765,858 34
			4,152,869 66

Amounting altogether to four millions, one hundred and fifty-two thousand, eight hundred and sixty-nine dollars, and sixty-six cents.

And

And if to that sum shall be added the dollars paid on account of the principal of the debt due to the bank, out of the proceeds of the sale of the bank shares, the total amount of debt extinguished during that year, will be found to exceed five millions four hundred and forty thousand dollars	1,287,000 0 5,440,469 66

The balance of specie in the treasury, which on the 1st day of October 1801, amounted to 2,948,718 dollars and 73 cents, had encreased on the 1st October 1802 to the sum of 4,539,675 dollars and 57 cents, making a difference in favor of the treasury of 1,590,956 dollars and 84 cents, which last sum, added to the above-mentioned payment of 4,152,869 dollars and 66 cents, made out of the treasury on account of the principal of the public debt, makes an actual difference in favor of the United States, of more than five millions seven hundred and forty thousand dollars, during that year.

The payments on account of the principal of the public debt, from the 1st day of April 1802 to the 30th day of September 1802, exclusively of, and in addition to, the bank debt, discharged out of the proceeds of bank shares, amounts to 5,339,886 dollars 44 cents, viz.

	Dolls.
On account of the Domestic Debt,	1,334,942 : 81
On account of the Foreign Debt,	3,302,543 : 63
And in re-payment of temporary Loans,	702,400 : 0
	5,339,886 : 44
And if to that sum shall be added the encrease of specie in the Treasury during the same period, which (as the amount on the 1st of April 1801, did not exceed 1,794,044 dollars and 85 cents) amounts to	2,745,630 : 72
The difference in favour of the United States,	8,085,517 : 16

for those eighteen months, will be found equal to eight millions eighty-five thousand five hundred and seventeen dollars and sixteen cents.

Of the annual appropriation of 7,300,000 dollars for the principal and interest of the *public debt*, about three millions nine hundred thousand dollars will be wanted to pay the interest which falls due in the year 1803, and the residue amounting to three millions four hundred thousand dollars, may be considered as the sum applicable, during that year, to the extinguishment of the principal of the public debt.

From all which it results, that so long as the *United States* shall not be afflicted by any unforeseen calamity, and whilst the *public expenditures* shall be kept within their present limits, there does not appear any necessity for encreasing the *public revenues*.

All which is most respectfully submitted

By ALBERT GALLATIN,
Secretary of the Treasury.

Treasury Department, Dec. 16, 1802.

STATEMENTS A. B. AND C. ACCOMPANYING THE REPORT OF THE SECRETARY OF THE TREASURY.

(A.) *STATEMENT of LANDS sold in the Districts of Cincinnati, Steubenville, Chillicothe, and Marietta, shewing the monies paid thereon, and the amount due, on the 1st November 1802.*

Districts where sold.	Sales when made. From	Sales when made. To	Period.	Quantities of land. Acres.	Quantities of land. Hdths.	Amount of purchase money. Dolls.	Amount of purchase money. Cts.	Amount of expences. Dolls.	Amount of expences. Cts.
Cincinnati,	1 Nov. 1801.	1 Nov. 1802.	12 months.	47,506		95,012		451	
Pre-emption lands in do.	ditto.	ditto.	ditto.	96,689	50	193,379		1,415	45
Steubenville,	ditto.	ditto.	ditto.	164,145	62	328,291	24	1,551	
Chillicothe,	ditto.	ditto.	ditto.	29,766	40	59,532	80	300	
Marietta,	ditto.	1 July, 1802.	8 months.	1,902	25	3,804	50	18	
				340,009	77	680,019	54	3,735	45

Periods of Payment for the Instalments due, per the above Statement.

Districts where payable.	Year when payable. 1803.	1804.	1805.	1806.	Total.
Cincinnati,	42,398 10	66,855 96	70,954 30	18,895 98	199,104 34
Steubenville,	18,056 88	65,202 50	78,427 10	53,489 50	215,174 97
Chillicothe,	1,440	13,842 57	14,196 23	12,838 75	42,320 55
Marietta,	18 94	951 12	951 12	631 12	2,552 31
Add—Instalments due per statement for 1801,	181,221 47	199,107 48	170,989 68		551,018 63
	243,135 39	345,959 64	335,221 44	85,854 35	1,010,170 83
Deduct—Paid in anticipation for lands purchased previous to Nov. 1, 1801,					50,558 50
				Dollars,	959,612 33

Treasury Department, Register's Office, December 6, 1802.

JOSEPH NOURSE, Register.

(B.) *A STATE-*

(B.) *A STATEMENT exhibiting the Amount of Revenue accrued on account of Duties on Importations, for each quarter, from the 1st day of October, 1800, to the 30th day of September, 1802.*

Quarters ending.	DUTIES ON			Debentures issued.	Bounties and Allowances.	Revenue. (a)	PAYMENTS.		Outstanding at the end of each quarter.		
	Merchandize.	Tonnage.	Passports and Clearances.				In the Treasury.	Debentures.	Bonds.	Debentures.	Revenue.
31 Dec. 1800,	4,291,216	37,393	3,314	1,379,937	5,246	2,946,740	2,090,769	1,362,583	11,952,834	2,256,132	9,696,702
31 March, 1801,	2,746,225	29,564	4,616	1,445,411	77,215	1,257,779	2,172,680	1,323,772	11,017,357	2,377,771	8,639,586
30 June, - -	6,231,092	49,957	5,316	1,906,244	7,077	4,373,044	2,868,068	1,468,474	12,817,838	2,815,541	10,002,297
30 Sept. - -	6,245,774	45,968	3,786	2,233,320	7,645	4,054,563	2,994,747	1,801,194	14,167,515	3,247,667	10,919,848
31 Dec. - -	4,803,985	43,644	3,740	2,275,133	10,933	2,565,303	2,715,334	2,082,434	14,067,868	3,440,316	10,627,552
(b) 31 March, 1802,	2,688,302	31,698	3,116	1,259,976	87,077	1,376,063	2,859,479	1,768,294	11,759,528	2,931,998	8,827,530
(b) 30 June, - -	5,153,384	41,616	4,490	1,422,944	6,718	3,769,828	3,208,883	1,591,248	12,081,392	2,763,694	9,317,698
(b) 30 Sept. - -	3,408,248	36,899	2,440	778,833	7,687	2,661,067	3,515,242	1,443,858	10,670,822	2,098,669	8,572,153

(a) This column shews the true amount of gross revenue accruing during each quarter 'after deducting from the total amount of duties, the amount of debentures, bounties, and allowances granted for, or in lieu of drawback on the re-exportation of foreign articles,) and subject to no other deductions but the expences of collection.

(b) The accounts of several small ports, for these three quarters, are on estimate.

(C.) STATEMENT *giving an account of the proceedings of the Commissioners of the Sinking Fund.*

At a meeting of the commissioners of the sinking fund, on the 7th of June 1802, present, the Secretary of State, the Secretary of the Treasury, the Attorney General of the United States;

The Secretary of the Treasury reported to the board, that provision has already been made to meet nearly all the demands which will become due in Holland, during the course of the present year, but, that it is necessary to make immediate provision for the payments on account of principal and interest which fall due there, during the first five months of the year 1803, and amounting to four millions, four hundred and thirty-nine thousand eight hundred and thirty guilders, and payable at the following periods, viz.—1st January, 872,700 guilders; 1st February, 986,350 ditto; 1st March, 601,000 ditto; 1st June, 1,979,780 ditto.

That from the great diminution of trade between this country and Holland, he has ascertained during his late excursion to New York and Philadelphia, that it is impracticable to obtain bills on Holland to that amount: That the rate of exchange is already forty-one cents per guilder; and that any attempt on the part of the Government to procure the large amount now wanted, would indubitably raise considerably the rate of exchange: That if it shall be attempted to remit by the way of England, the loss will be also considerable, the present rate of exchange with that country being now above par, and rising, and would indubitably be enhanced, should Government come into the market for large purchases; and the rate of exchange between England and Holland, being by the last advices ten guilders eight stivers per pound sterling, nor likely to become more favourable, which supposing the whole amount in bills on England to be procurable (which is not believed to be the fact) at 168, would, including the commission of one per cent. in England, amount to forty-three and a half cents per guilder: That the Bank of the United States having been applied to, has refused to undertake to contract for making the necessary remittance: and that the two only considerable offers made to the Secretary are now submitted to the Board,

Board, viz. The Manhatten Company offer to remit the whole, at the rate of forty-three cents. per guilder. Alexander Baring offers to remit guilders 3,140,488 16 1-2 payable in Amsterdam, at the following dates, viz.—1st January 1803, 605,000 guilders.—1st February, 685,000 ditto.—1st March, 425,000 ditto.—1st June, 1,425,487 16 1-2 ditto — And at a rate of forty-one cents per guilder, provided, however, that the United States shall sell to him the two thousand two hundred and twenty shares of the Bank of the United States, owned by the United States, at forty-five per cent. advance, or at the rate of five hundred and eighty dollars per share; which last proposition is recommended by the Secretary of the Treasury, as the most eligible; as exclusively of the advantageous rate of exchange, thereby secured, the transaction will not have any unfavourable effect on the rate of exchange generally, and by so considerably diminishing the demand, will enable the United States to obtain what is still wanted at a reasonable rate: and because in his opinion, the price obtained for the Bank shares is more than could be obtained, were they thrown in the market for sale, and more than their intrinsic value.

Whereupon it was resolved, by the board, "That the Secretary of the Treasury be authorised to sell the shares of the stock of the Bank of the United States, belonging to the United States; and that the proceeds thereof be applied to the payment of the capital or principal of any part of the debt of the United States, which had become due to the Bank of the United States, before or during the course of the year 1796, and which remains still unpaid, in conformity to the provisions of the act entituled "An act making provision for the payment of certain debts of the United States," passed on the 31st day of May 1796."

(Signed)

JAMES MADDISON, *Secretary of State.*
ALB. GALLATIN, *Sec. of the Treasury.*
LEVI LINCOLN, *Attorney General.*

Attest. EDWARD JONES, *Secretary to the Board of Commissioners of the Sinking-Fund.*

REPORT LAID BEFORE THE HOUSE OF REPRESENTATIVES, BY THE COMMISSIONERS OF THE SINKING FUND, ON THE 7TH FEBRUARY 1803.

The commissioners of the sinking fund respectfully report to Congress as follows:

The measures which have been authorised by the Board subsequent to their report of the 19th of December 1801, as far as the same have been completed, are fully detailed in the report of the Secretary of the Treasury to this board, dated the 3d day of the present month, and in the proceedings of the officers of the Treasury therein referred to, which are herewith transmitted, and prayed to be received as part of this report.

All which is respectfully submitted by A. BURR, Vice President of the United States, and President of the Senate—JAMES MADDISON, Secretary of State—ALBERT GALLATIN, Secretary of the Treasury—LEVI LINCOLN, Attorney General of the United States.

Washington, Feb. 5, 1803.

Report of the Secretary of the Treasury to the Commissioners of the Sinking Fund, for 1801 *and* 1802.

The Secretary of the Treasury respectfully reports to the Commissioners of the Sinking Fund,

That since the date of the last report to Congress of the 16th Dec. 1801, and to the 1st Jan. 1802, the following parts of the principal of the public debt have been discharged:

1. In the payment of instalments of six per cent. stock, viz.		
Seventh instalment of the 6 per cent stock, which, pursuant to the "Act making further provision for the support of public credit, and for the redemption of the public debt," passed the 3d March 1795, and the act in addition thereto, passed the 28th April 1796, became payable for the year 1801, - - - -	805,846 30	
First instalment of the deferred 6 per cent. stock, which, pursuant to the acts above recited, also became payable in the year 1801, - -	272,416 24	
	1,078,262 54	
2. In payment of the tenth and last instalment of the subscription loan for bank stock due on the last day of December 1801, - - -	200,000 0	
Amounting to dollars,		1,278,262 54

Which payments were made out of the following funds:

1. The interest fund on sums which accrued on the stock purchased, and transferred to the Commissioners of the Sinking Fund, in trust for the United States, - - - -	312,282 68
2. The fund arising from the payment of debts which originated prior to the present constitution, - -	420 0

3. The

3. The fund arising from dividends on the capital stock which belonged to the United States in the bank of said States, from 1st January 1800, to 30th June 1801, after deducting the interest on the subscription loan, for the same period, - - - - 94,320 0

4. The fund arising from the sale of public lands, being the amount drawn by the agent to the commissioners, pursuant to the act of 3d March, 1795, - - - - - 162,021 29

5. The proceeds of the duties on goods, wares and merchandize imported; on the tonnage of ships or vessels, and on stills and spirits, distilled in the United States, appropriated by the 8th section of the act of 3d March, 1795, intituled "an act making further provision for the support of public credit, and for the redemption of the public debt," - 709,218 57

Making in the whole the amount of the reimbursements of 6 per cent. stock, and the 10th and last instalment of the subscription loan for bank stock as above stated, dolls. 1,278,262 54

That besides the above-mentioned reimbursements, there remained at the close of the year 1801, an unapplied balance of guilders 2,314,846 9st. applicable to the payment of the principal and interest of the Dutch debt for the year 1802, and consisting of remittances purchased and paid for before the 1st day of January, 1802, beyond the sums wanted to meet the demands in Holland during the year 1801.

That during the year 1802, the following disbursements were made out of the Treasury, on account of the principal and interest of the public debt:

1. There was paid on account of the reimbursement and interest of the domestic debt, the sum of stiv. 4,654,699 61

2. On account of principal of monies borrowed of the bank of the United States, - - - 1,290,000 0

3. On account of interest on domestic loans, - - - - 162,205 0

4. On account of reimbursement of capital and interest of Dutch debt, exclusive of repayments into the Treasury, - - - - - - 3,243,065 91

5. On account of debts due to foreign officers, - - - 7,994 92

6. On account of certain parts of the domestic debt, - - - 14,966 84

dolls. 9,372,752 28

Which disbursements were made out of the following funds:

1. From the funds appropriated by the 1st section of the "act for the redemption of the whole of the public debt," viz.

From the fund arising from the interest on the domestic debt, transferred to the commissioners of the sinking fund, - - - - - 326,449 92

From the fund arising from payments into the Treasury, of debts which originated under the late government, - - - - 888 79

From the fund arising from dividends on the capital stock, which belonged to the United States, in the bank of said states, from 1st July, 1801, to 31st December following, 33,960 0

From the fund arising from the sale of the public lands, being the amount of monies paid into the Treasury, in the year 1802, - - 179,575 52

From the proceeds of duties on goods, wares and merchandize, imported, and on the tonnage of ships or vessels, - - - - 6,759,125 77

Making in the whole the annual appropriation by law for the year 1802, under the act aforementioned, 7,300,000 0

2. From the proceeds of goods, wares, and merchandize imported, and on tonnage advanced by the Treasury, in order to enable the commissioners in Holland to make the payments in time, conformably to the 5th section of the "act making provision for the whole of the public debt," and being in part, and on account of the annual appropriation of 7,300,000 dollars for the year 1803, 785,152 28

3. From the proceeds of 2220 shares of the capital stock of the bank of the United States, which have been sold in pursuance of the "act making provision for the payment of certain debts of the United States," the proceeds of which have been placed in the Treasury, - - 1,287,600 0

Dollars, 9,372,752 28

That the above-mentioned disbursements made during the year 1802, and amounting to dollars 9,372,752, 28, together with the above-mentioned balance of guilders 2,314,846 9st. which remained unexpended on the 1st January, 1802, have been applied as follows; that is to say,

1. To the payment of the interest which, during the year 1802, accrued on the whole of the public debt, including domestic loans, dolls. 4,065,738 47

2. To the reimbursement of the following parts of the debt of the United States which have been discharged during the year 1802, viz.

Temporary loans obtained of the bank of the United States:

From the proceeds of 2220 shares of bank stock, - - dolls. 1,287,600 0

From the proceeds of duties on merchandize and tonnage, - 2,400 0

Instalments of the Dutch debt, which became due by contract in 1802, viz.

Second instalment of 2,000,000 loan of 4th Mar. 1784, - guilders 250,000

5th and last ditto of 1,000,000—of 1st of June, 1787 - - -	200,000		
4th do. of 1,000,000—of 13th March, 1788,	200,000		
3d do. of 3,000,000—of 1st Feb. 1790, - -	600,000		
1st do. of 2,500,000—of 2d March, 1791, -	500,000		
1st do. of 2,050,000—of 30th Nov. 1791, -	410,000		
1st do. of 6,000,000—of 14th Dec. 1791, -	1,200,000		
		3,360,000	0
at 40 cents in stiv.		1,344,000	0
Making together the sum of stiv.		2,634,000	0

3. To the provision necessary for the reimbursement of the 8th instalment of the 6 per cent. stock, and the 2d instalment of the deferred 6 per cent. stock, becoming payable the 1st January, 1803, estimated at the sum of dolls. 1,117,869 37

And that besides the above-mentioned reimbursements and payments, there remained at the close of the year 1802, exclusively of the amount of sundry protested bills still outstanding, and of unexpended balances in the hands of agents, an unapplied balance, estimated at guilders 5,914,606 10 st. applicable to the payment of the principal and interest of the Dutch debt for the year 1803, and consisting of remittances purchased and paid for before the 1st day of January, 1803, beyond the sums wanted to meet the demands in Holland during the year 1802. No purchases of the debt of the United States have been made since the date of the last report to Congress, and the accompanying statements exhibit for the years 1801 and 1802 respectively, the operations at the Treasury, in the transfer of stock to the commissioners of the Sinking Fund, in trust for the United States upon the reimbursement of the foreign debt in the years 1800 and 1801, and include also the sums in the several species of stock transferred in each of those years in payment for lands sold belonging to the United States, that is to say,

In 1801, Dollars, 23,816 58
1802, 15,518 49

All which is respectfully submitted.

ALBERT GALLATIN, *Sec.*

Treasury Department, Feb. 3d, 1803.

REPORT laid before the House of Representatives, by the Secretary of the Treasury, respecting the Fisheries of the United States, on the 29th of Jan. 1803.

Treasury Department, 29th Jan. 1803.

SIR,—I have the honour to enclose a statement prepared in obedience to the resolution of the House of Representatives, of the 24th inst.

The duties paid on the importation of foreign fish being laid on the value, and not on the quantities, there are no documents in this department by which those quantities can be ascertained.

As the number of seamen employed in the cod fishery could not be ascertained, for each of the ten years embraced in the statement, without delaying for a considerable time the report, it was thought best to transmit at present only the number employed for the year 1800; which, by a comparison of the tonnage for that year, with that for each of the preceding years, will shew, without any material error, the number of seamen employed during each year. The general result gives an annual average of about 33,000 tons, and 5,000 seamen, employed in the cod-fishery.

I have the honour to be, &c. &c.

ALBERT GALLATIN.

The speaker of the House of Representatives.

Abstract of the quantity of Fish exported from the United States; the amount of bounties and allowances paid; also the tonnage of vessels employed in the Cod and Whale Fisheries, and duties accruing thereon, for the years 1791 to 1800 inclusive.

YEARS.	FISH EXPORTED. Quintals.	Barrels.	Kegs.	* Bounties on fish and provisions exported.	Allowance to vessels employed in the fisheries.	Tonnage employed in the cod fishery.	Tonnage employed in the whale fishery.	Duties on Tonnage.
				Dollars.	Dollars.	Tons.	Tons.	Dollars.
1791	383,237	57,424	——	27,787	——	32,542	† ——	651
2	364,898	48,277	——	44,772	——	32,062	——	641
3	372,825	45,440	——	16,731	72,965	38,177	——	764
4	436,907	36,929	——	13,768	93,769	23,121	4,139	711
5	400,818	55,999	——	14,855	66,280	30,939	3,163	809
6	377,713	84,558	5,256	16,999	76,890	36,556	2,364	873
7	406,016	69,782	7,351	12,399	80,476	40,423	1,104	875
8	411,175	66,827	6,220	19,220	94,684	40,964	763	865
9	421,495	63,542	15,993	20,769	128,606	31,003	562	656
1800	392,726	50,388	12,403	18,325	87,853	25,787	652	555

* This column includes the payments made for bounties on the exportation of both fish and salted provisions; and from the informality with which several of the collectors returns are made out, the payments in many instances being blended together, it is impossible to make a correct discrimination.

† The documents in the Treasury do not distinguish the tonnage employed in the whale fishery prior to the year 1794, and those only enrolled vessels.

The number of men employed in the cod fishery for the year 1800, was 8,141, which would give, on the average of 10 years, between 4 and 5,000 men per ann.

None of the returns shew the number of men employed in the whale fishery.

Treasury Department,—Register's Office, Jan. 28, 1803.

JOSEPH NOURSE, Register.

REPORT LAID BEFORE THE HOUSE OF REPRESENTATIVES, BY THE SECRETARY OF THE TREASURY, RESPECTING THE TONNAGE OF THE UNITED STATES, ON THE 8TH OF FEBRUARY, 1803.

Treasury Department,—Register's Office, Feb. 17th, 1803.

SIR,—I have the honour to transmit the annual statement of the district tonnage of the United States, on the 31st December, 1801; formed from the quarter yearly abstracts rendered by the several collectors of the ports of the United States to this office, and exhibiting,

	Tons.	*95ths.*
The registered tonnage at - - -	632,907	8
Enrolled or licensed ditto, - - -	278,271	31
Fishing vessels, - - - - - -	36,398	9
Amounting to tons, - - - - - -	947,576	48

The registered tonnage, according to the mode prescribed for the collectors, and as stated in your communication to Congress of the 27th Feb. 1801, has been corrected in all the districts except eight ports; the names and estimated existing tonnage whereof are, viz.

Estimated existing registered tonnage calculated on a reduction of other ports.

	Tons.	*95ths.*	*Tons.*	*95ths.*
Marblehead, - - - -	9,083	30	— 7,500	
Plymouth, - - - - -	5,405	15	— 4,600	
Perth Amboy, - - -	436	76	— 436	76
Philadelphia, - -	109,036	40	—70,000	
Vienna, - - - - - -	778	68	— 778	68
York Town, - - - -	1,073	40		
Wilmington, N. C. - -	3,637	30	— 2,600	
Waldoborough, - - -	3,805	13	— 3,000	
	133,256	27	—88,915	45
Difference to be deducted from the registered tonnage, - - -	44,340	73		
	133,256	27		

Deducting, therefore, 44,340 73-95ths from 632,907 8-95ths, the registered tonnage, on the 31st Dec. 1801, may be stated at 588,566 30-95ths.

	Tons.	*95ths.*
The registered tonnage being calculated at - - - - - - -	588,566	30
The enrolled tonnage at the amount on which duties were paid for the year 1801, at - - - - - - -	224,740	
And the fishing vessels, ditto, - -	35,997	
Exhibits the actual tonnage of the United States on the 31st Dec. 1801, to be - - - - - - -	849,303	30

With respect to the licensed and enrolled tonnage and fishing vessels, a variation of about 50,000 tons more is stated from the abstracts as rendered by the collectors than upon the amount upon which duties were collected. But as every enrolled vessel by law renews her license every year, the dutied, licensed, and enrolled tonnage, exhibits, from a recent examination, more correctly, the aggregate tonnage in the coasting trade in each year, than can possibly be formed from the abstracts, which are continually varying, from an exchange of marine papers at the custom-houses. Any further correction of this species of tonnage, other than arises from the usual examination of the marine abstracts, may, it is presumed, be dispensed with.

The total amount of tonnage on which duties were paid in the year 1801, was

	Tons.	*95ths.*
Registered tonnage, - - - - -	799,304	
Coasting ditto, - - - - - -	224,740	
Fishing vessels, - - - - - -	35,997	
	1,060,041	
The total amount of actual district tonnage, as above estimated, 31st Dec. 1801, was, -	849,303	30
Difference,	210,736	65

Arising from vessels employed in the coasting trade, making more than one voyage in a year, the same being subject to a duty upon each voyage—vessels were built in the several districts in the year 1801, and which took out registers for the foreign trade, - - - - - 91,890 42

And which took out licenses and enrolments for the coasting trade, - - - - 32,864 81

In all, tons 124,755 28-95ths.

I have the honour to be, Sir, &c. &c.

JOSEPH NOURSE, Register.

Hon. Albert Gallatin, Secretary of the Treasury.

A MEMORIAL *on the question,* "Whether it be advantageous for France to take possession of Louisiana?"—*Presented to the French Government by Mr. Livingston, the American Minister at Paris.*

This question presents itself in two points of view: First, in the relation of commerce

and manufactures: Secondly, in those of the positive or relative force of France.

Colonies do not excite interest for their own sake, but only as respects the influence they may have on a nation; and as one man alone is more useful by remaining at home, than two by removing at a distance, a wise nation does not seek to colonize, until she has a superabundance of population, which she cannot usefully employ in any other way.

Though very considerable, the population of France is very far from having reached the term which renders colonies necessary: her soil, climate, and local situation give her, as a commercial, and especially as a manufacturing nation, great advantages over all the nations of Europe. The spirit of invention, the taste and industry of its inhabitants, place her in the first rank. But those advantages are wonderfully abridged by the want of capitals sufficient to make use of them. A rival nation, greatly inferior in every one of these particulars, has, by the effect alone of an immense capital, obtained the superiority, not only in commerce, but also in manufactures; and these advantages, by increasing the national fortune, furnish it with the means of maintaining that very superiority.

Capitals increase the number of manufactures, by the introduction of machines, by the regular payment of workmen, by the reduction of the interest of money, and especially by the possession of new markets.

None but rich individuals can undertake those slow and expensive speculations, which often give the superiority to a manufacture. A poor merchant cannot undertake long voyages, returns from which are slow; they are reserved for the wealthy, who can give credits long enough to tempt foreign nations to give his articles the preference over those of other nations, which expect a quick return for theirs. The want of capitals in France, is such, that no manufacturer has at his command a quantity of articles sufficient to answer the demands; and consequently no foreigner can be sure to obtain from his French Correspondent wherewith to make his returns without retarding his vessel in port, or, at least, without being obliged to take a considerable quantity of articles of inferior quality, picked up in a number of different manufactories; so that if he commits any fraud, no one can be charged with it. This renders the character of a manufacturer of very little importance in the eyes of a French workman.

Hence when a foreign vessel, especially if owned at a great distance, sells her cargo in France, she is ordered to take nothing but wines or brandies, because they are the only articles which the owner is sure to procure in sufficient quantities, in the fixed time.

In England, on the contrary, he will find all sorts of goods, in one hour, from one manufacturer, the reputation of which would suffer, if the whole supply were not of the same quality with the sample. This consideration will ever induce a foreigner to apply to an English, in preference to a French merchant, for a purchase of goods of the same kind. Hence cargoes are sold in France, and the proceeds carried to England, there to be sold for articles which France might supply, if her manufacturers were rich enough to answer every demand, in a short time, without compelling the purchaser to have recourse to a great number of manufactories.

This inconveniency can only be removed by increasing the capitals of manufacturers. It would be too great a deviation from my subject, to point out the means of obtaining those capitals; but it is evident, that they must be considerably lessened by the forming of a navy, at the expence of manufactures, or by using the capitals of the nation in distant countries. It is beyond doubt, that capitals open new channels; for nothing is more natural for merchants whose capital is small, than to content themselves with acting the part of brokers or commission-merchants, to those who can supply them with goods on credit; and for this very reason, England lost nothing by the independence of America. Her immense capitals have created a monied dependence, which, in a commercial relation, replaced the supremacy she had lost in the government. The increase of capital in America, frees it in some degree from that dependency, and by furnishing her with the means of extending her commerce, and even to offer capitals to other nations, which know how to calculate the value of the markets which she offers to manufactures and to the luxury of Europe.

It will be readily granted, that colonies beyond the seas add nothing to the force of a nation; these are, on the contrary, weak points, which are guarded at a very great expence,

expence, both in men and money; especially if they be in hot and unhealthy climates.

The question, therefore, is reduced to this---*Has France a superfluity of men and money great enough to justify the settling of a new colony?*

Those which France already possesses in the West-Indies and at Cayenne, are more than sufficient for her wants, and even the wants of all Europe, if they were cultivated so as to produce all they are capable of. But how are they to be cultivated? Expeperience has proved that the inhabitants of hot climates never work from want: force alone can supply the two great spurs to labour in northern climates, hunger and cold, which nature has placed in those severe climates. Hence slavery alone can fertilize those colonies, and slaves cannot be procured but at a great expence.

The Spanish part of Hispaniola was almost uncultivated for want of slaves. It is now possessed by France; and, to render it of advantage, it will be necessary to lay out immense capitals in slaves, in buildings, and in improvements of uncultivated lands. Others will be necessary to make up for the losses of the French part of that, not to mention the other islands. Where are those capitals to be found? Men who travel into distant and unhealthy climates are seldom wealthy. Those riches must therefore be found in France, or in some country that has a superfluity of capital. If they are found in France, it can only be, to a certain degree, at the expence of internal manufactures. It may, however, appear advantageous, in a national point of view, to encourage the use of the riches of France for that object; considering the extreme fertility of the French West Indies, and their present situation of culture, those funds will soon yield a profit. But as long as money will command so high an interest; so long as the interior of the republic shall offer monied men a source of speculations, and property shall lie in so few hands, it will be difficult to induce the majority of them to dispossess themselves of this capital to send it at a distance, and run the risk of the integrity of their agents, and all those whom recent examples have taught them to dread.

Foreign coin was formerly introduced into France, through the United Provinces; but the present state of the Batavian colonies, and the losses they have sustained by the war, leave but little hope, that much may be used in the restoring of French colonies.

The United States possess considerable capitals in money, and productions necessary to the restoration of the islands. No great credit, in money, will probably be given to the planters; but with suitable encouragements, there is no doubt they will be able to obtain those productions which must, were it not for that circumstance, be paid for in cash; and the commercial speculations of the United States will extend to the French islands, when the public and private credit of France shall have been restored; and when experience shall have convinced the people how unwise it is to establish a revenue upon foreign trade, while it is, in fact, collected from their own citizens. At Hispaniola, a duty of 20 per cent. is paid upon articles introduced by strangers. This duty is in fact paid by strangers; and it happens that fraud, and the bad administration of the custom-houses, is, as usual, a source of vexation for foreign merchants. But it is the planter who furnishes the money, for this tax is always added to the price, and even an interest is advanced upon it as a compensation for the vexations which the captains experience in their commerce. What then is the effect of that operation, if not to take from the planter one-fourth part of the money which he had so much difficulty to get from France? Or otherwise to stop, by that means, partly the re-establishment of the capitals which alone can render the islands finally productive? I say finally, for it is folly to believe that they would yield to France a compensation for her actual outsets, unless it be after a great many years. I will even say, that unless the ports of Hispaniola are open to every vessel loaded with articles of necessity, unless the inhabitants have the right of buying cheap, and selling dear, by encouraging the rivalry between the sellers and purchasers, unless every sort of vexation is removed, and strangers receive every possible security for their capitals in the islands, ages will pass away before Hispaniola will cease draining France of its riches and strength, without offering her any equivalent return.

It is, therefore, evident, that if France had no other possession beyond the seas, except her islands, it might easily place all the capital of which she now can, and probably hereafter will be able to dispose in a long series of years.

But

But if to all this we add the immense possessions in Guyana, her productions, and the capitals necessary to carry the whole of it to its full value; if we add the settlements necessary to be made in India, if the design be to bring into the ports of France that variety of articles which invite exchanges, and give commerce its due activity, we shall find, that one century at least will pass away before France may want possessions of that kind.

But as France has, like other countries, but a confined capital, the only question is, *where shall this capital be placed?* Shall it be here? in the West Indies? at Cayenne? in India, or at Louisiana? For it is obvious, that what will be placed in one of those settlements will be at the expence of another; it is equally so, that the national expenditures will increase with her colonies; and that, in case of war, the points of attack and defence will be multiplied in the same ratio.

Able statesmen have questioned, whether colonies were useful to a country situated like France; but my design is not to examine this theory. France has colonies; she has invited her citizens to go and carry their riches to them; honor requires that she keep and protect them; but she is under no obligation to create new ones; to multiply points of defence; to squander away the capitals she wants at home and abroad. How could the possession of Louisiana be useful to her? In the first place, its cultivation is to be carried on, as in all warm countries, by slaves; the capitals spent in buying them, or the slaves themselves, would have been carried to the Islands, if this new channel had not opened. This rivalry will rise the price of slaves for the planters, and may thus much retard the settlement.

On their arrival at Louisiana the slaves will be employed in the barren occupation of felling the large forests with which this immense country is covered, a labour but little suited to slaves, for it requires being long accustomed to the axe; and force and activity are seldom found in slaves. They must be clothed, fed, and maintained during whole years, before any profit can be derived from them. What I am about to relate may serve to determine that period. In the northern and middle states of America the usual term of a quit-rent lease in the new lands is ten years free from rent, and after this the lessee pays 12 bushels of wheat for every 100 acres, for ever. It is, therefore, obvious, that the first ten years are considered as a time of expense, during which term the owner requires no payment. But in the Southern States new lands cannot even be given out on those terms, because the white planter sets a higher value on his labour, and the clearing of forests requires too great outsets for any one but the owner of the land.

Who then will cultivate Louisiana with slaves? Who is the citizen willing to bestow large capitals upon so precarious a property, with the prospect of a distant return?

It may be asked, why does it not happen in the Southern States? It is answered, first, because none are southerly enough to be wholly free from the colds of winter, which renders savage life very difficult to men born in hot climates; and secondly, because the Southern States are mostly surrounded by the sea, and by mountains, the whole population of which is white, and which cut off the communication between the slaves and the vast forests of the interior parts.

But let us suppose all these difficulties overcome, what commercial advantages can France derive from the settlement of this colony? The productions of Louisiana being the same with those of the West-Indies, no advantage is to be reaped; for the islands, being well cultivated, will suffice for the wants of France, and even all Europe. The introduction of those from Louisiana would only lessen the price, without adding any thing to the value, and France would be obliged, to prevent the ruin of those who had employed their funds in the colonies, to imitate the Dutch, who destroy their spices and teas, when the quantity of these commodities in Europe is large enough to cause a depreciation of their value.

The productions of Louisiana, which do not grow in the West Indies, are only lumber, and perhaps rice; but it is certain that those productions, considering the difficulties of procuring them in a hot and unsalubrious climate, will not cover the outsets, or at least will not yield the same profits as would be procured by raising them in the islands, in procuring the same or other and more valuable articles.

The proof of this is found in the United States:---It is not from Georgia nor South Carolina that the West-Indies are supplied with lumber, but chiefly from the Northern States, where forests are more scarce and more valuable than in the South: the cause of this is, that the supplying of lumber, the

the mills necessary to prepare them for sale, all these are the work of free hands, which are satisfied with a moderate price.

I shall presume farther to lay down, however paradoxical it may seem, that it is not advantageous for France to supply herself with lumber, even if she could procure it from Louisiana.---I have two reasons to offer: What lumber the Northern States supply her colonies with, is paid for in molasses and some rum. The first article costs the planter nothing; for, were it not for that, this would be an useless production of his sugar, and the second is but a very moderate expense for distillation. If it were not consumed in America, molasses would be thrown away as useless, and this was the case when America was a British colony, because French commerce does not offer any other market for that commodity.

It may, therefore, be said, that the colonies have from the United States *lumber for nothing*. Should, on the contrary, a settlement be formed in Louisiana for the supplying of that article, every expense and outset of this establishment, all the labour necessary to cut, saw, and transport it to the place where it is to be sold, would be a real loss for the nation, even admitting that the cutters, and other men employed, should take, as payment, molasses and rum, because their labour would produce nothing to the nation.

But it is certain that Louisiana could not furnish a market for molasses or rum; it is only in New-England, (Northern States,) that those articles are consumed. The inhabitants of the South prefer ardent spirits, distilled from grain, apples, and peaches, to those distilled from molasses.

On the supposition, therefore, that the planters supply themselves with lumber in a French colony, exclusively at Louisiana, they would be forced to pay for it in money, or objects of real value. If the right of supply is not exclusive, it is null, because the labourer of a southern climate cannot work as cheap as the robust son of the North.

It might be thought that molasses would still find a market in New-England, though it were no longer the price of lumber. It would be an error. They have no other reason to take it, than its being offered in exchange for an article, for which they have few other markets. Let the colonies refuse lumber from the North, spirits from grain, apples, &c. will immediately be substituted to those from sugar, because the price of rum would immediately be higher. Then it will be that every sort of commerce between them and the colonies will cease, unless it be for provisions, which they will necessarily require to be paid for in money, or what will pass in foreign markets for money.

The second reason why France ought not to get her lumber from Louisiana, even though she might do it, is, that in case of war, supposing England should preserve her naval superiority, no sure calculations could be made upon receiving provisions; and they could not be supplied from the United States, for that commerce, having been abandoned since the peace, those whom it then employed have sought other objects of industry; and saw-mills, erected to prepare that lumber, are out of use, and will not easily be set up again at the renewal of hostilities; so that the misfortunes which are the consequence of it would be doubly distressing to the colonies.

It is therefore very evident, the colonizing of Louisiana would, in a commercial point of view, be very injurious to France, because it would employ capitals, which would be more usefully employed in other colonies; because those capitals would lie dormant for several years, and because admitting they should become productive for individuals, they would add nothing to the national mass, and would have no other effect than to lower the price of colonial produce, and lessen the profits of their labour.

It might however be thought, that the possession of Louisiana would afford one more market to French manufactures, and thus compensate the expence of the nation for its settlement. This question deserves a particular examination, and the provisioning or the consumption of French manufactures may relate either to the free or bond population.

If it be the free class that is to be mustered by emigrants from France, it will be composed of that portion of the people, which not only could support themselves in France, but, besides, increase the national riches by their industry. For France is not overburthened by her population, and consequently every emigration will form a vacuum somewhere, or abandon some useful branch, which will no longer be carried on. The emigrant carries away with him a portion of the general good, in the mass of the pro-

productive labour of the mother country; he also carries away with him a portion of the capital, for he never goes with empty hands, and as I have already observed, ten years must pass away before his settlement produces beyond his first necessaries. He must, at the same time, live with the strictest economy, for having nothing to offer in exchange, he receives scarcely any thing from the mother country, and the nature of the southerly climates require very few of the articles necessary in Europe. It is therefore beyond all doubt, that as to the present emigrant, the few articles furnished him by French manufactures will not cover the loss which the nation will sustain of his own labour; besides he will consume much less in America than he would in France, and besides, his labour, the manufacturer, who supplied his wants in both countries, will be a loser by his emigration.

Black population will still less contribute to the support of French manufactures, because their consumption in articles of dress is very small; and even in South Carolina it does not amount to more than forty livres a year for each negro. At Louisiana, where the winter is still less severe, it will be reduced in proportion; it will consist in cotton, principally worked in the country, and still more smuggled from the United States. But if the whole were brought from France, after deducting the raw materials, which must be purchased, the whole profit of the French manufacturer will not amount to more than 30 livres for each negro every year. Now, as each slave will cost the nation 1000 livres, and as this capital would have produced in France at least ten per cent. in every other commerce or manufacture, the difference between 100 livres French produce, and 30 livres produce of the Louisiana clothing, gives the real loss to be sustained by France in the first ten years, during which they can only, as I have said before, supply their first wants, if so much; and as a certain number must die by the change of climate, and a number will run away, the real loss of France on every slave imported and employed in Louisiana must be 100 livres every year.

But if we add to this the profit which this very slave could have furnished, if transported to the islands, (and it is certain that all the slaves carried to Louisiana are so many hands taken from the islands) we shall find that the actual loss of the nation, in the interruption of labour, will amount to upwards of 600 livres per annum, so that the first loss for the nation, in the introduction of 1000 slaves to Louisiana, will be 600,000 livres. It is true, that if peace continues, and if, in opposition to expectation, the colony should prosper, the rich planters will make a great consumption of French goods, but that of the slaves will ever be very small, or their labour without profit, because, as I have already observed, being employed to cultivate articles which the islands can more easily supply for every demand, and the sale of which is confined, by increasing the quantity, they will only lessen the prices of those commodities which it is essential for France to keep high, because she possesses the most fertile islands. I know there is an opinion entertained by many, *viz.* That French goods, in their way to the Mississippi, will find a market in the western part of the United States. The most complete ignorance of the navigation of that river could alone have given rise to such an opinion, which is likewise grounded on the ignorance of the wants of the inhabitants. It is certain that the wines of France are not fit for climates as hot as those they must cross before they arrive in the Western States; that they are still less suited to the means and taste of the inhabitants, who are more accustomed to their own liquors, such as cider, beer, whiskey, and peach-brandy; the latter, with time, becomes superior to the best French brandy; so that, instead of receiving those articles through Louisiana, they might themselves supply the colony with them. As to the articles of glass and earthen-ware, they are made in every part of the Western States, where the raw materials are every where found. The demands for china-ware are small, but if they were large, French ware is too dear to hurt the sale of china.

Large iron works are also wrought on the spot, and English hard-ware has so well-known a superiority over the French, that the latter would certainly remain unsold, if both were exposed at market. The only articles which might, perhaps, be introduced into the country, would be silks, cambrics, and a few other articles of luxury. But even all these can never pass through the river Mississippi. The dangerous navigation of the gulph, the long and expensive distance to go against the current, the large capitals of the English and American merchants at Philadelphia, and the great improvements which are made every day in the

the roads and inland navigation, will cause land carriage to be preferred as far as the Ohio, and other rivers, whence they are carried to the settlements easily and cheaply. It is a well known fact, that dry goods have been carried from Philadelphia to New Orleans by land, by that route, in preference to sea carriage. It is, therefore, visionary to believe that goods from France will be carried that way; whilst the enterprising English, who have the right of navigating that river, and the prejudices of the Americans in favour of their manufactures, never attempted to introduce their goods that way, because they well know that they are more easily brought by Philadelphia and Baltimore. But should France be desirous of introducing, that way, more bulky articles into the Western States, and accustom the inhabitants to their wines and manufactures, it could only be *by putting New Orleans into their hands, with the reserve, that it shall ever be a free port for French vessels and goods, without being subjected to any other duties than those paid by the Americans.* By this means the American merchants, settled at New Orleans, may be interested in their commerce; instead of going to England, their capitals will go to France; the latter will have all the advantages of a colony without the expence of supporting it, and the money which American activity obtained from the Spaniards, would go to France; for England, which has not the same means, and which pays higher duties, could not supply those goods at so low a rate.

But should France, on the other hand, resolve to keep the island, a great proportion of the capitals of the commerce of New Orleans, which are especially in the hands of the English and Americans, will naturally take the course which the United States shall fix, and that must be a rival place of commerce with New Orleans, which being rid of the vexations consequent upon a military government, at a distance from the sovereign, will draw, in spite of all the disadvantages of its situation, the whole commerce of which the other is at this day the centre.

The boundaries established between Spain and the United States, and very lately between the English and Spanish possessions, have deprived the inhabitants of Louisiana of their share of the fur-trade, which it must be confessed was not, nor could ever be, very important, as the peltry of the South are of but little value; the few skins are of no importance to commerce, as may be seen in the tables of importation of New Orleans. Goods are ever to be transported from the Mississippi in the United States, that way.

In these considerations I have kept no account of the pains, expences, and loss of men, which are inseparable from new settlements in a marshy country, and a burning climate; the invasion of Indians; the insurrection of slaves; the insubordination of the troops; the abuses committed by officers, remote from the sovereign's eye. All these inconveniences united, or only a few of them, are enough to stop an undertaking, and ruin a settlement. A very important observation is, however, to be made, and that is of some weight. Many of those who will carry their families to Louisiana, observing that the lands are as cheap on the American side, will prefer settling there, even in time of peace; some, because they will prefer the government of that country, others by caprice, others through spite, or to rid themselves from a military government, such as that of Louisiana must necessarily be. That wish must be general in the case of a war between France and England; for admitting that the latter maintains her naval superiority (as I have already proved in another place she must, unless France changes her commercial system in order to establish it upon more liberal principles), the mouth of the Mississippi will be blocked up, and the planters in the French colonies will be reduced to the greatest distress, while those of the United States will derive from the war the greatest benefit.

Then it will be, that a great part of the capitals brought from France to Louisiana, will pass into the United States, where are found farms, already cleared, for one half of what it would have cost a French planter to clear his: because an American, familiarized from his infancy to the use of the ax, has acquired a dexterity and a muscular strength which are never obtained by a man used to other business.

The experience of the past is wholly in support of these observations. Though settled for one century, Louisiana has never prospered under either the French or the Spanish government. And one half of the commerce of New-Orleans is *now* carried on with American capitals, under the guarantee of their treaty with Spain. As soon as the French will plant a rival colony, that

commerce will be carried on in any other place in the United States, which the policy of their government may judge proper to encourage.

If the settlement of Louisiana is not advantageous to France in a commercial view, because it diverts capitals from a much more important channel, it is still more contrary to her interests in a political point of view. —America is of the utmost importance to France, whether considered as a commercial or maritime power. I have explained my opinion fully in this first relation, on another occasion; as to the other, there is no question than an agricultural nation, which, by her industry and her raw materials, is able to procure all the superfluous luxuries of Europe, and whose habits and occupations prevent them from manufacturing for themselves, there can be no question that such a nation must afford a very important market to the inhabitants of the old world.

In this view, the commerce of the United States is considered as very profitable to England; but when French manufactures shall have obtained all the improvement of which they are capable, when commerce shall be established upon a suitable basis, it will present a much greater variety of articles upon which to support itself, than the commerce of England. Woollen articles and hardware are the only articles which America receives from England; but France shall furnish not only all these, but her agriculture will gain by the sale of her wines, her brandies, and her oils. Those advantages, added to the relative situation of France and the United States, which removes every suspicion of rivalry between them, both by sea and land, have exhibited France as the natural ally of the United States, to the eye of those who have considered, in the extent of her power, a new pledge of the security of their commerce and their future tranquillity. They have done homage to the wisdom of those statesmen who, at the conclusion of an advantageous war, have thought that France would gain more by securing the solid friendship of the United States, than by acquiring a territory which would be for them an object of jealousy, and might again force them under the domination of a people whose yoke they had just assisted them to shake off.

I am not ignorant how delicate it is to foretell political misfortunes, which might result to France and the United States from the possession of Louisiana and the Floridas by the former. I must either conceal that which truth would have me say, or on the other hand frighten certain querulous minds, who may fancy they see a threat in my frankness. Nevertheless, a citizen of one of the two nations, and strongly attached to the other, I hope that those to whom this memorial may be delivered, will be able to set a just value on the motives of my conduct, and will see in it nothing but my exertions to remove every subject of dispute between two people formed to assist one another; and although I am too well acquainted with the resources of my own country to dread the power of any of the European nations, it will easily be seen, that I am incapable of conceiving the ridiculous idea of threatening a government which has seen all Europe bend the knee before its power.

I have observed, that France and the United States are in a respective situation, so fortunate as to have no point of collision. They may assist, without being tempted to hurt one another in any manner. This commerce is useful to both nations; this union of sentiments and interests rests upon principles which ought to form the maritime code, and deliver the universe from the tyranny founded by Great Britain, which she maintains, and which never will be combatted with success, until the other powers, by uniting, will abridge her means, by transferring to nations more moderate a part of her commerce; and as there are no nations on the globe whose consumption offers to foreign manufactures resources as vast as those offered by the United States, if we consider with what rapidity this consumption increases, the means which America has of creating a navy when her political situation shall render it necessary, we shall be obliged to own that France must have very strong motives and very powerful, to induce her to abandon these advantages, and change a natural ally, from a warm friend, into a suspicious and jealous neighbour, and perhaps hereafter into a declared enemy.

Experience has proved, that two nations could not be neighbours without being rivals; and if this be true of two neighbouring nations, it may be said with still more truth of a colony formed by a great and powerful nation, removed from the metropolis, and of a people bordering on the territory of the other. The reason of this is plausible; where two nations are neighbours,

neighbours, every thing passes under the inspection of the sovereign; the quarrels are as soon extinguished as kindled; but when the governor of a colony, calculating upon the protection of the metropolis, is guilty of an act of hostility, the wound gets gangrened, before a physician can be called. The offended sovereign, who also thinks that the offender will be so much the more strongly supported, as his nation is more powerful, tries every means, in order to anticipate on the hostilities which he dreads, uses reprisals, and both nations are at war before any explanation has taken place.

If there be a situation in the world which may be attended with these consequences, it certainly is that of France, when she is in possession of New-Orleans. It is situated in such a manner, as to block up the great passage towards the sea from a great number of States, and a very extensive population which increases rapidly.

A military government is about to be established on the island. The General, proud, with reason, of the glory of his nation, will cast on every thing that surrounds him a look of superiority; commerce will be degraded; and merchants, subjected to the despotism of men, who will seek, in the laying up of riches, a recompence for their privations in the remote and insalubrious country whither they are sent. The colony presents no lawful means of growing rich, except those (slow and progressive) of commerce and agriculture---ill suited means for soldiers. However vigilant the mother country, she will not prevent, at that distance, the vexations which may be exercised. On the other hand, the government of the United States will not be able, in a thousand instances, to restrain the petulence of the near inhabitants, bordering on the limits of the Mississippi; to confine their vengeance wholly, and compel them to expect from diplomatic representation a slow justice. Hatred will take place between the two people; the bonds of friendship will be destroyed, and the government of the United States, which ever shares the sentiments of the people, will be forced, by its situation, to alter its political relations. Then, for the sake of guarding themselves against their old ally, for a pretended act of hostility, they will form a cautionary connection with England, which will be sedulous in obtaining her alliance, and will excite her resentment against France; because in that alliance she will see the means of preserving her commerce with America, which she now possesses almost exclusively, securing her colonies to be able, in case of war, to invade the French colonies, and especially, of preventing the union of the commerce and navy of France and the United States, upon which alone France can engraft her naval superiority.

It may be asked, why those jealousies which I seem so much to dread for France, have not taken place for England, in possession of Canada? First, because Great Britain has prudently separated her territory by a natural limit which prevents the contact of the two nations. While she occupied the western posts, the United States saw her with jealousy, and it is beyond doubt that hostilities and a national hatred would have been the consequence when the increase of American population in that part had taken place; when those forts were given up, numerous symptoms had already manifested themselves.

Secondly, because the usual road of the exports of the United States being made through their own rivers, there is no important communication between them and Canada.

But it is chiefly because Upper Canada is inhabited by American emigrants, who, in case of a rupture, would join, according to all appearances, to the United States, had not the spirit of their government been to prevent the extending of their limits.

But, after all, what political or commercial advantage can France receive from the possession of New Orleans, and of the East Bank of the Mississippi, that may balance the loss which, in these two points of view, she will sustain in the rivalry with the United States? The Floridas are a narrow strip of barren land, incapable of defence in case of a rupture, and which will cost more than it is worth to guard, garrison, and the presents to the Indian Tribes. However advantageous New Orleans might be for the United States, it will be of very inconsiderable value for France, when the foreign capitals shall be taken from it, or a rival city shall be established on the American side. From the best information, I find that one-third of the best commercial houses employed in New Orleans, are American.—No sooner will a military government be established in the country, than all these commercial houses, with the capitals which support them, will pass into the United States, to that place assigned them by the

treaty with Spain, or to the Natchez, where every vessel which may go to New Orleans may be received.—Large vessels, from France, have already arrived there, and unloaded their cargoes without difficulty, and as the soil is so much the more advantageous as we penetrate further, there is very little doubt this establishment will rival that of New Orleans, when the American capitals shall have been taken out of it. When the United States shall have declared the Natchez a free port, New Orleans will be very little as a place of commerce, and only an object of useless expence for France, and an inexhaustible source of jealousy between France and the United States.

The cession of Louisiana is nevertheless very important to France, if she applies it to the only use which sound policy seems to dictate. I speak of Louisiana alone, and, by this, I do not comprehend the Floridas, because I think they are no part of the cession. As it can, by this cession, acquire the right of carrying on the Mississppi a free trade, if she knows how to profit of this circumstance, by a perfect understanding with the United States, she will find markets for a very great variety of articles, when she has accustomed the inhabitants of the western countries to prefer them to the English, which she can only obtain by selling them cheaper, and she can only sell them cheaper, by interesting the American merchants to sell them, to have the use of their capitals, and by engaging the government of the United States to give them the preference. All this can take place only by the cession of New Orleans to the United States, *with the reserve of the right of entry, at all times, free from all other duties than those paid by American vessels, together with the right of navigation on the Mississippi.* This would give her vessels an advantage over the vessels of all other nations, will retain and even increase the capitals of New Orleans, where the provisions for the islands will be bought at the cheapest rate possible, and where the articles of her manufactures will be introduced in the western countries:—The United States will have no interest in preventing it, for every reason of rivalry will be removed. Then France will command respect, without inspiring fear to the two nations whose friendship is the most important for her commerce, and the preservation of her islands; and all these advantages will be obtained without the expence of establishments, which ruin the public treasure, and divert capitals from their true object.

But if, on the one side, France keeps New Orleans, by attempting to colonize Louisiana, she will become an object of jealousy to Spain, the United States, and England, which powers will not only discourage her commerce, but will compel her to make expensive establishments to secure the possession of it.

In the foregoing observations I have confined myself to observations which presented themselves, without having recourse to subtilties, which only serve to mislead the judgment. I have exposed simple facts with candour and all the simplicity of language. If a reply is made, it will be by pursuing a contrary course. With eloquence and sophistry they may be combatted and obscured; time and experience will demonstrate their solidity.

An Agreement between the Seneca Indians and a company of Dutch Merchants, for the sale of lands in Ontario County, in the State of New-York.

Thomas Jefferson, President of the United States of America, to all whom these presents shall come, greeting.—Whereas a treaty was held on the 30th day of June last, under the authority of the United States, with the Seneca Nation of Indians, at Buffaloe Creek, in the county of Ontario and State of New York, and at the said treaty, in the presence of and with the approbation of John Taylor, Esq. a commissioner of the United States, appointed to hold the same, an indenture or agreement was entered into between the said nation of Indians and Wilhem Willink and others hereinafter mentioned, which indenture or agreement is in the words following:—This indenture made the 30th day of June, in the year of our Lord one thousand eight hundred and two, between the Sachems, chiefs and warriors of the Seneca Nation of Indians of the first part, and Wilhem Willink, Peter Van Eeghem, Hendrick Vollenhoven, W. Willink the younger, I. Willink the younger, (son of Jan) Jan Gabriel Van Staphorst, Roelof Van Staphorst the younger, Cornelius Vollenhoven and Hendrick Seve, all of the city of Amsterdam and republic of Batavia, by Joseph Ellicott, Esq. their agent and attorney of the second part. Whereas, at a treaty held under the authority of the United States

States with the said Seneca Nation of Indians, at Buffaloe Creek, in the county of Ontario and state of New-York, on the day of the date of these presents, by the hon. John Taylor, Esq. a commissioner appointed by the President of the United States to hold the same in pursuance of the constitution, and of the act of the Congress of the United States in such case made and provided, a convention was entered into in the presence and with the approbation of the said commissioner, between the said Seneca Nation of Indians and the said Wilhem Willink, Peter Van Eeghen, Hendrick Vollenhoven, W. Willink the younger, I. Willink the younger, (son of Jan) Jan Gabriel Van Staphorst, Roelof Van Staphorst the younger, Cornelius Vollenhoven, and Hendrick Seve, by the said Joseph Ellicot their agent and attorney, lawfully constituted and appointed for that purpose. Now this indenture witnesseth,—That the said parties of the first part, for and in consideration of the lands hereinafter described, do hereby exchange, cede, and for ever quit claim to the said parties of the second part, their heirs and assigns, all those lands situate, lying and being in the county of Ontario and state of New-York, being part of the lands described and reserved by the said parties of the first part in a treaty or convention held by the hon. Jeremiah Wadsworth, Esq. under the authority of the United States, on the Genesse river the 15th day of Sept. 1797, in the words following, viz. Beginning at the mouth of the eighteen mile or Koghquawqa creek, thence a line or lines to be drawn parallel to lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos creek, thence a line or lines extending twelve miles up the north side of said creek, at the distance of one mile therefrom, thence a direct line to the said creek, thence down the said creek to lake Erie, thence along the lake to the first mentioned creek, and thence to the place of beginning. Also one other piece at Cataraugus, beginning at the shore of lake Erie on the south side of Cataraugus creek, at the distance of one mile from the mouth thereof, thence on a line parallel thereto to a point within one mile from the Con-non-dan wegea creek, thence up the said creek one mile on a line parallel thereto, thence on a direct line to the said creek, thence down the same to lake Erie, thence along the lake to the place of beginning; reference being thereunto had will fully appear. Together with all and singular the rights, privileges, hereditaments and appurtenances thereunto belonging, or in any wise appertaining. And all the estate, right, title and interest whatsoever of them, the said parties of the first part, and their nation, of, in and to the said tracts of land above described, to have and to hold all and singular the said granted premises, with the appurtenances, to the said parties of the second part, their only proper use, benefit and behoof for ever.

And in consideration of the said lands described and ceded as aforesaid, the said parties of the second part, by Joseph Ellicot, their agent and attorney as aforesaid, do hereby exchange, cede, release and quit claim to the said parties of the first part and their nation, (the said parties of the second part reserving to themselves the right of preemption,) all that certain tract or parcel of land situate as aforesaid. Beginning at a post marked No. O, standing on the bank of lake Erie, at the mouth of Cataraugos creek, and on the north bank thereof, thence along the shore of said lake N. 11 degrees, E. 21 chains, E. 13 degrees E. 45 chains, N. 19 degrees E. 14 chains 65 links to a post thence east 119 chains to a post, thence south 14 chains 27 links to a post, thence east 640 chains to a post standing in the meridian between the 8th and the 9th ranges, thence along said meridian south 617 chains 75 links to a post standing on the south bank of Cataraugos creek, thence west 160 chains to a post, thence north 290 chains 25 links to a post, thence west 482 chains 31 links to a post, thence north 219 chains 50 links to a post standing on the north bank of Cataraugos creek, thence down the same and along the several meanders thereof to the place of beginning. To hold to the said parties of the first part in the same manner and by the same tenure as the lands reserved by the said parties of the first part, in and by the said treaty or convention entered into on Genesse river the 15th day of September, 1797, as aforesaid were intended to be held. In testimony whereof the parties to these presents have hereunto, and to other indentures of the same tenor and date, one to remain with the United States, one to remain with the said parties of the first part, and the other to remain with the said parties of the second part, interchangeably set their hands and seals, the day and year first above written.

Con-nea-ti-a—Koe-en-twah-ha, or Corn-planter—Wou-dou-gooh-ka—Te-kon-nou-du—

du—Te-ki-am-dau—Sa-goo-yes—Jaw-yo-cau-na, or Blue Sky—Koving-quan-tah, or Young King—Ka-oun-doo-wand, or Pollard. Con-na-wan-de-au—Soo-no-you—Au-wen-nau-sa—Soo-goo-ya-wou-law, or Red Jacket — Cosh-kau-tough — Te-yo-kai-hossa — Oua-ya-wos, or Farmer's Brother—So-nau-goi-es—Gish-ka-ka, or Little Billy—Sus-sa-oo-wau.

Wilhem Willink—Pieter Van Eeghen—Hendrick Vollenhoven—W. Willink, the younger—I. Willink the younger, (son of Jan) Jan Gabriel Van Staphorst, the younger —Cornelius Vollenhoven — and Hendrick Seye—by their attorney, JOSEPH ELLICOT.

Sealed and delivered in the presence of John Thomson, Israel Chapin, James W. Stephens,—and Horatio Jones, and Jasper Parrish, Interpreters. Done at a full and general treaty of the Seneca Nation of Indians, held at Buffaloe creek, in the county of Ontario, and state of New-York, on the thirteenth day of June, in the year of our Lord one thousand eight hundred and two, under the authority of the United States. In testimony whereof, I have hereunto set my hand and seal the day and year aforesaid, JOHN TAYLOR. Now be it known, that I, THOMAS JEFFERSON, President of the United States of America, having seen and considered the said indenture or agreement, do, by and with the consent of the senate thereof, accept, ratify, and confirm the same in every clause and article thereof. In testimony whereof I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand. Done at the city of Washington, the twelfth day of January, in the year of our Lord one thousand eight hundred and three, and in the twenty-seventh year of the Independence of the said United States, THOMAS JEFFERSON.

By the President, JAMES MADISON, Secretary of State.

The following reply of Mr. Adams, late President of the United States, to some gentlemen who congratulated him on the anniversary of his birth day, throws great light on some parts of his administration which have hitherto been considered, in some measure, inexplicable.

Gentlemen,—As every gentleman here is at least as independent of me, as I can pretend to be of him; as there is no imaginable motive of hope, apprehension, or any sinister or private interest, which could have prompted you to such a manifestation of your friendly sentiments, I am fully assured that this visit is the result of feeling, and not of ceremony. The performance of the parts which were cast to me, in the course of the revolution, though the scenes were in the secret conclave of a congress, without galleries, and with closed doors, or at a thousand leagues distance beyond seas, and the few spectators or witnesses are almost all dead, I shall leave to the candour of the public, and the judgment of posterity, with such traditionary lights as they may possess. After as careful a review as I am capable of taking of the civil administration, during the period when I was President of the United States, I see nothing of any consequence to repent or regret. Some measures were the effect of imperious necessity, much against my inclinations.—Others were the measures of the legislature, which, although approved of when passed, were never previously proposed or recommended by me.—Some of them, left to my discretion, were never executed, because no necessity for them, in my judgment, ever occurred. I shall say no more upon this subject at present, but this, we were emancipated from two burthensome yokes, the French Treaty and Consular Convention, which were grievous to us, and would have been intolerable to our children. The nation in future, unshackled with positive stipulations, will have only to consider her duties to foreign powers by the law of nations, and to estimate her interest by an honest and impartial policy. Let me add one observation more. Under the continual provocations, breaking and pouring in upon me from unexpected as well as expected quarters, during the two last years of my administration, he must have been more of a modern epicurean philosopher than I ever was, or ever will be, to have borne them all without some incautious expressions, at times, of an unutterable indignation. I have no other apology to make to individuals or to the public. The prospect of national greatness is as sure and certain as that of national existence. The Union is our rock of safety, as well as our pledge of grandeur. And for this reason I hesitate not to recommend to you as a sentiment—"a union of honest men." I wish you, gentlemen, for the day, and for your lives, all the honest joys and felicities which you can possibly wish for yourselves.—JOHN ADAMS.

Quincy, Oct. 30, 1802.

Extracts

Extracts from the American Papers, relative to the NAVIGATION *and* COMMERCE *of the Countries bordering on the* MISSISSIPPI, *and also relative to the* EXPORTS *from the British province of* CANADA.

Louisville, Dec. 1, 1802.—During the last month, a brig of 200 tons burthen was built at this place for Messrs. Meeker and Co.; she sailed down the Ohio, to the mouth of Cumberland river, where she took in a cargo of cotton, and then descended the Mississippi, bound for Liverpool.

Natchez, Jan. 17.—On Wednesday last arrived at this port the ship Mary, Captain Darling, from Boston; she came up with a fair wind, and afforded a most pleasing spectacle to a great number of our citizens, who assembled on the bluff to witness the arrival of the first American ship that has attempted to ascend the Mississippi thus far. Also arrived on the same day the schooner Bee, Captain Brag, from the same port. We are informed that the schooner Nancy, Captain Morris, from Philadelphia for this port, passed Fort Adams a few days since.

Pittsburgh, Feb. 11.—The ship Pittsburgh, of 270 tons burthen, was launched on Tuesday last from the ship-yard of Messrs. Tarascon Brothers, James Berthoud, and Co; she is owned by those gentlemen, and was built under the direction and superintendance of Captain Beebee. Judges pronounce her a very handsome vessel, and her materials are of the best and most substantial kind.

New-York, March 8.---Exports from the British province of Canada, during the year 1802: 144,189 beaver skins; 23,808 martins; 18,855 otters; 11,148 minks; 7,377 foxes; 16,899 bears; 184,256 deers; 148,882 racoons; 17,377 open and casted hats; 1,483 elks; 4,562 wolves; 26,289 musquash; 5,719 kitts; 3,356 squirrels and hares; 892 seals; 180 castorum; 6,407 fisher; 988,418 bushels wheat; 28,297 barrels flour; 22,042 cwt. biscuit; 4,680 bushels barley; 16,121 cwt. pot ash, (last year ten times this quantity); 2,300 tons of new shipping, independent of vast quantities of lumber, beef, &c.

AMERICAN DISCRIMINATING DUTIES.

The following able examination of the operation of the American discriminating, and of the British countervailing duties on the commerce of the two countries, appeared in the New York Evening Post, under the title of "An Examination of the Report of a Committee of the American Congress," recommending a repeal of the discriminating duties. The report will be found at length in page 417 of vol. I. and various other papers on the subject, will be found by referring to the indexes of the three volumes of the Register.

The Committee have saved us the trouble of proving it, by expressly admitting in the outset, that the "discriminating duties have tended greatly to increase the navigation of the United States, have given the shipowners an advantage over foreigners in the carriage to the United States of salt, wines, &c. &c. and enabled them to be almost exclusively the carriers of all the fine articles of importation necessary to the consumption of the country. This policy, (they add) combined with the advantages resulting from the late war in Europe, had increased the American tonnage to an amount (it is believed) not inferior to that of any nation in Europe, except Great Britain."

After this broad and important admission, we think we are justified in demanding from those who now propose to give up those duties, very satisfactory reasons for the measure. And what reasons have they given? They shall be candidly examined.

We did expect to have found among the first, the late peace. This was solely relied upon last winter, when the subject was first introduced by General Smith. It was then said by this Gentleman, and echoed by his friend Mr. Giles, that although our discriminating acts operated like a charm in time of war, yet were they calculated to injure us in time of peace, and they were both, therefore, very urgent to have them repealed at once. The house, however, were not quite able to discover the force of their observations, refuted by the bare inspection of the annual return of tonnage for the last ten years, and the subject was suffered to sleep for that last session. It is now revived with equal ardour, indeed, but its advocates, instead of relying on the change in circumstances, produced by peace, abandon that, and confine themselves to another and distinct ground, then also taken, though rather as a subordinate one. It was then said by them, in the house, that the English had "*overdone*" the treaty, and carried the right reserved to them, further than they were warranted to carry it; and now the Committee say, "it is believed that the Parliament

Parliament of Great Britain, by a statute passed the 4th of July 1797, (in exercise of that reserved right) have exceeded the fair intent and meaning of the treaty of amity, &c. &c. and that *to obviate the disadvantages thence resulting to the carrying trade of the United States*, it is expedient to relinquish our discriminating duties in favour of such foreign nation, as will agree to abolish such of their discriminating or countervailing duties, as are in their operation injurious to the interests of the United States."

That such a reason should be advanced by certain speakers in the heat of debate, is not very surprising, but that it should be gravely incorporated into a formal report of a Committee of Congress, as the leading motive of a Resolution, is matter of unfeigned astonishment. What is the amount of it?

Great-Britain, under pretence of making provision to carry into effect a particular stipulation in her favour, as reserved to her by treaty, passes an act which on the face of it palpably violates an important article of that very treaty. To put the case: We oblige importations in British bottoms to pay, say 10 per cent. more than importations in our own; by treaty they have a right to countervail by doing the same thing, instead of which they pass an act obliging our importations to pay 20 per cent. more than their own. What is in this case to be done? What course shall the United States pursue? Shall we remonstrate against the injury, and in terms becoming a great nation, demand immediate and adequate redress, or shall we give up our 10 per cent. which had produced important advantages to individuals, and a great accession to the revenue, in hopes that Great Britain will in turn give up her 20 per cent. Oh! the latter by all means, says an American politician; let us have no difficulties if they can any way be avoided; let us by all means forego our rights though they are indisputable, for in this quiet and economical manner all the disturbance may be *hushed up* at once. But we shall observe to this Committee, that however advisable and even laudable it may be in one individual to overlook offences, or to submit to compromise, yet he must be little acquainted with what belongs to the character of a Statesman who supposes this is the course to be pursued by a nation. "Seldom is it safe for it (says Vattel) to dissemble or to pardon an injury;" "suffering an injury without requiring complete satisfaction is always imputed to weakness, and is the means of soon receiving others that are the most atrocious." Can we then refuse to say as to the case before us, that if we allow the accusation of the Committee against Great-Britain to be well founded, the course they recommend is no less despicable for its pusillanimity than it is remarkable for its folly. But before we give way any further to our indignant feelings against the English, it may not be amiss to bestow a few moments in examining how far the Committee are warranted in advancing this charge.

By our countervailing act passed in 1790, importations in foreign vessels were made liable to pay 10 per cent. on the several rates of duties payable on importations in American bottoms; and in the second section of the 15th article of the treaty of amity, commerce and navigation between Great Britain and the United States, the right was reserved to the former to impose a duty adequate to countervail the difference of duty then payable to the latter on importations in British bottoms here, that is to say, 10 per cent. on the several rates of duties payable in their own country by their own importers. The treaty was made in 1794, but the British Government did not proceed to avail themselves of the stipulation in her favour till July 1797, and the act was to go into operation in January 1798. To prevent all dispute and cavil as to the exact import of this act, we republished it at length in the Evening Post on the 27th of January last, when we had this subject first under consideration. And now let General Smith, or any of the Committee, turn to the act, and tell us in what part of it they find the obnoxious clause which authorises them to charge Great Britain with having "exceeded the fair intent and meaning of the treaty of amity, &c." On this subject we take a direct issue with the Gentlemen, and deny, explicitly, that the act does in any one instance swerve from the "fair intent and meaning of the treaty;" nay, if we were disposed to be the advocates of a foreign nation, we could go further, and say, that this statute is in the highest degree liberal, allowing in one very important instance a favourable construction for us, where to say the least it was doubtful. It is for those who take the affirmative to make good their allegation;

at

at present it is sufficient to oppose assertion to assertion.

We proceed to examine the correctness of the report as to the countervailing duties on certain articles which they have selected to shew in what manner Great Britain "has exceeded the fair intent and meaning of the treaty," or wherein she gets an advantage over us in its strict observance. We shall take up the several articles in their order.

Fish Oil, and Tobacco, are first mentioned as objects on which the highest countervailing duties have been imposed. The former is interesting to the northern; the latter to the southern States, and if the repeal of the discriminating duties will tend to raise the value of these articles, it must of course be popular both in the north and south. We shall soon see how the truth lies.

"The countervailing duty on *fish oil*, (say they) is 1163l. 12s. 2d. sterling per ton of 252 gallons, and upon tobacco 1s. 0d. per 100lb." The facts are correct as far as they go, but candor we think forbad them to make this partial statement. Fair dealing required of the Committee, if they meddled with these articles at all, to state every thing material to a right understanding of the subject. We shall now do it for them.

Great Britain, strongly impressed with a due sense of the policy of encouraging her fisheries as a nursery for seamen, has passed several statutes for this purpose, during the reigns of William, William and Mary, Ann, and more especially of his present Majesty. By sundry acts passed 26, 27, 28, and 29 Geo. III. British built ships, owned by British subjects, and manned by three-fourths British sailors, are entitled to large bounties for the whale fins, oil and blubber, caught by them in the Greenland, Southern-whale, Newfoundland, or British fisheries, so called, according to the tonnage of the vessel, the number of hands employed, and a priority of arrival. By the statutes Car. II. and Geo. III. oil, blubber, and whale fins, taken by British ships, whose owners and crews are of Great Britain, and imported there, are duty free. If taken by natives of British plantations, and imported in ships whose owners are of such plantations, the duty on train oil is 13s. 8d. per ton, drawback 10s. 2d.; if taken by natives of British plantations, and imported in ships of British owners only, the duty is 9s. 11d. per ton, drawback 8s. 5d.; but if imported in British or foreign ships from Europe, the duty on train oil, blubber, or fish oil, is 19l. 1s. 1d. (fractions are rejected) and imported in American ships from the United States, 20l. 17s. 5d.

From this statement it is perceivable at once, that the object of Great Britain was to afford encouragement to her own fishermen, not importers merely, and that for this purpose she has imposed so heavy duties on all oil not taken by her own subjects, in her own vessels, fitted out for the purpose, and in them imported, as in short amounts, and was intended to amount to a prohibition to all the world besides. But this she had an indisputable right to do, and we have no cause to complain, provided the *countervailing duty* does not exceed 10 per cent. on the duty laid on the same article, when imported under the same circumstances in her own ships. Now according to the table furnished by the Committee, that duty amounts to 19l. 1s. 1d. and 10 per cent. on that would be 1l. 18s. 1d. The duty laid is 1l. 16s. 3d. nearly 2s. less than she had a strict right by treaty to lay. But we shall now assert in contradiction to the implied opinion of the Committee, that this *countervailing* duty never has, nor never can have any weight in preventing the exportation of the article thither. *Fish oil* is not, nor had been for many years before any countervailing duty was laid, (excepting a very few tons at the close of the late war) exported by any merchant from the United States to Great Britain.

The Committee add, that "in *consequence of the countervailing duty*, a British ship of 250 tons, carrying 250 tons of oil to Great Britain from the United States, will pay 453l. 15s. sterling less duty thereon, than the same oil would pay, if imported into Great Britain in an American ship;" instead of which they should have stated, that such British ship would have to pay as duty on her *oil* 4763l. 10s. 10d. (a duty so enormous as to render the importation in such ship next to impossible,) and that an American ship would have to pay 452l. 15s. more than the British ship; but as the duty before was prohibitory, this addition as a *countervail*, is nearly or quite immaterial.

The Committee therefore, in selecting this as an article on which countervailing duty has been laid by the British, "to an extent greater than the treaty will warrant," as well as in the endeavour to make it be believed that it is the *countervailing* duty which prevents us from exporting it thither, are justly charged with material misrepresentation. It would not become us to say this has originated in design; we would charitably impute it to carelessness or ignorance.

In the article of *Tobacco* they have not been more fortunate. "By the same operation, (say they,) a British ship of 250 tons, carrying 400 hogsheads of tobacco of 1200lb. each, to Great Britain from the United States, would pay 860l. sterling less duty than would be payable on the same quantity of tobacco imported in an American ship; the whole freight at 36s. sterling per hogshead would only amount to 700l. sterling, which (after deducting the countervailing duty of 860l.) would leave to the American a net freight of only 344l. sterling." Let us understand this subject a little more fully than we are able to do from this statement of the Committee.

By the 6th section of the British act, tobacco of the United States is made liable to the same duties of custom and excise as tobacco imported

ported by British subjects from any British colony or plantation in America; subject nevertheless, to all the regulations and restrictions relating to the importation and exportation thereof, provided in an act passed the 29th year of his Majesty's reign, entitled, "An act for repealing the duties on tobacco and snuff, and for granting new duties in lieu thereof;" and in another act, passed the 13th year, with the same title. By those acts, tobacco imported into Great Britain, whether in British or American bottoms, may be warehoused free of expence on the importer's own bond for payment of the duties within 18 months, and if within that time the same is taken out for re-exportation, the bond is cancelled without payment of any duty whatever; but if it is taken out for home-consumption, it is then subject to the full duties payable by law, which duties are 6-20d. customs and 1s. 1d. excise, making in the whole, 1s. 7d. 20 sterling per pound, *subject also if imported in American vessels*, 1s. 6d. *the* 100 *pound*, or 7-10ths of a farthing per pound, and averaging hogsheads at 1100lb. (which is believed to be nearer the truth than 1200, as asserted by the Committee) makes 10s. 6d. the hogshead; standing thus,

Duty of customs and excise on hogsheads imported in British ships - - -	£87	1	8
If imported in American ships, - - -	87	17	2

From this statement it will be seen, first, that what is called the countervailing duty on tobacco, instead of being 10 per cent. on the duties, as it might have been by the treaty, and which in place of 10s. 6d. would have amounted to l. 8-14-2, per hogshead, falls some fractions short of 1 per cent. Secondly, That this duty is only paid by the purchasers for home consumption; that is, the English tobacconist advances the duty, which is ultimately paid by the consumer. Thirdly, That the exported tobacco from Great Britain pays no duty at all. And here it may be observed that all things being equal, that tobacco will have the preference for exportation, which is entitled to the drawback, thus leaving the British imported tobacco for home consumption, and giving the preference to the American; on the whole it is believed and it is calculated by those most conversant with this subject, that three hogsheads in four will be re-exported, so that three-fourths of the tobacco is not even affected by the countervailing duty; 400 hogsheads, as stated by the Committee, may be taken as the average burden of ships; 100 only, we have seen, are subject to the countervailing duty, which at 10s. 6d. the hogshead, is 82l. 10s. or 366 dollars 66-100 cents, more on a cargo, if imported in American, than imported in British bottoms, instead of between fifteen and sixteen hundred dollars. Thus then we see, that the amazing duty on tobacco, which has been magnified to an amount too enormous to be borne, or even looked at with patience, appears, on examination, to be too trifling to have any effect on the mind of the purchaser; not enough to outweigh the difference of different samples.

The report next states, that "Rice, when imported into Great Britain in an American ship, is charged with a duty of eightpence 8-10ths sterling per hundred weight more than when imported in a British ship; this extra duty amounts on a tierce of rice, to about 3s. 9d. sterling; the freight of a tierce of rice may be estimated at 12s. sterling. No person will give 15s. 9d. in an American, when he can have the same carried for 12s. in a British ship." Here we have the same charge to make against the Committee as in the two preceding articles, that they have presented so lame and partial a view of the subject, as is calculated to mislead those who are not already conversant with the business.

By the 7th article of the British statute of July 1797, it is provided that any rice, being the growth of the United States, which shall be imported from thence into Great Britain, may be landed in certain enumerated ports, and warehoused under the joint locks of his Majesty and the importer, in such warehouses as shall be approved of by the commissioners of customs, free of duty, unless it shall afterwards be taken out for home consumption, in which case the rice is liable, previously to its being taken out of the warehouse, to the full duties payable by law on British imported rice, and also to the countervailing duty, which, as appears from inspection of the table, is considerably under the 10 per cent. But it is important to observe, that when the article is in the greatest demand, and consequently when it will command the greatest price, which happens not unfrequently, it is admitted entirely *duty free*.

Again, "Pot and pearl ashes pay a countervailing duty of 2d. 14-15ths the hundred weight. A cask of ashes contains about three hundred weight: the extra duty on that by an American ship will be nine-pence per barrel—the freight of such barrel is presumed to be 5s. or 5s. 6d. sterling in time of peace; a difference of nine-pence sterling per barrel will effectually give the carriage to British ships of all the ashes exported from the United States to Great Britain."

The Committee are undoubtedly correct in point of fact, as far as they go, (except that instead of 5s. or 5s. 6d. it should be 7s. 6d. or 8s.) but their statement is materially defective, and their conclusion altogether erroneous. Suppose two ships in the port of London of 250 tons each, and capable of carrying say 1500 bbls. the one American, the other British, and both up for freight, and a merchant wanted to get brought from the United States a cargo of pot or pearl ashes. The British ship, by not being liable to the countervailing duty on her return home, would save her nine-pence sterling per barrel on her ashes, or about 140 dollars on the whole cargo; but as they have each to bring out a cargo of English goods on which

which the duties amount to 50,000, as is sometimes the case, the American ship, as an offset to the 140 stivers, the countervail at London, pays a less duty here than her competitor, by 5,000 dollars. This observation will substantially apply to *Cotton*, and the other articles afterwards mentioned. It would be the same thing if the first voyage was made from the United States to Great Britain. Really it perplexes us not a little to comprehend the force of the Committee's conclusion, that suffering the countervail to remain on both these vessels, would effectually give the carriage to the British ships of all the ashes exported from the United States to Great Britain.

"The Committee take leave to refer the House to a table of duties imposed by Great Britain, on goods imported in American and British ships, which was printed the last session of Congress, and is herewith exhibited." We do the same thing, and then ask the Committee to single out an article, if they can, on which the countervail exceeds "10 per cent. on the produce and amount of the several duties of customs due and payable by law on the importation of the like goods and merchandize from the United States in British-built ships or vessels," And if they cannot, all their complaints are utterly groundless.

The Committee next tells us, that "the Parliament of Great Britain, by a statute, bearing date the 7th of May 1802, has imposed new and additional duties on certain articles, the produce or manufacture of the United States," and as this of course raises the countervail, they think proper to say, "adds further to the *injury* already sustained by American ships carrying such articles." Surely it will hardly be contended that each nation, whenever it deems it expedient, is not at liberty to increase its own revenue, regardless of the rise of the countervail on the other nation. The Committee seem to forget, that since the treaty we also have laid additional duties, and of course have raised the countervail upon them; and therefore, if it is an injury on one side, it is also an *injury* on the other.

"The Committee take leave further to state, That by the same statute of Great Britain, of the 7th of May last, a duty of one half per cent. is imposed on all goods, wares and merchandize, (of the growth or manufacture of Great Britain) on their exportation to any port in Europe, or within the Straits of Gibraltar, and of one per cent. on similar goods when exported to any place not being in Europe, or within the Straits of Gibraltar, thus subjecting the United States to a duty on exports double that which is paid by the nations of Europe. This discrimination your Committee believe to be *in contradiction to the spirit of the treaties* existing between the United States and Great Britain."

We have not been able to find the statute here referred to in this city, but we may, however, observe, that according to the Committee's *own shewing*, in Barr phraseology, "here has been nothing like a violation of the treaty, nor any *contradiction of its spirit*." The treaty relates exclusively to duties on *importations*; it neither mentions nor refers to *exportation* duties; if it had, it would have been the first time we believe that two nations, ever by treaty stipulated with each other that they would or would not lay *exportation* duties on their own *goods*, *wares*, or *merchandize*, which, in fact, is neither more nor less than laying a home-tax, and collecting it in the several ports, as the most convenient and certain way of getting it in. Besides, as this export-tax relates equally to British as to American bottoms going out of Europe, and bears just as hard on the British colonies as on us, we see no propriety in calling it a *discrimination*.

[The arguments advanced by this writer, and the conclusions he has drawn from them, are supported by the following important documents, being memorials to Congress from the *Merchants* of *Philadelphia* and *New York*, against the repeal of the discriminating duties.—Presented Jan. 4, 1803.]

To the Senate and House of Representatives of the United States.—The Memorial of the Philadelphia Chamber of Commerce—Respectfully sheweth, That the acts of Congress, entitled "An Act, imposing duties on the tonnage of ships and vessels," and "An Act, making further provision for the debts of the United States," passed in the year 1790, have been attended with the most beneficial consequences to the trade of the United States, by increasing the shipping thereof to an amount sufficient for the carriage of all our productions intended for exportation, and of all foreign articles necessary for our home consumption.

Impressed with a conviction of the necessity of these laws for the protection of our navigation, your memorialists feel great alarm for the proposition of their repeal, which they are informed is now under the consideration of Congress.

The experience of twelve years has proved their efficacy. The importation of foreign merchandize is secured to our own vessels, and employs a great amount of tonnage; and, although the countervailing duties of Great Britain may give to the ships of that nation a preference in the carriage of a few articles from America, yet, so long as the import trade is carried on in our own vessels, we shall retain by far the greatest share of the export trade.

The repeal of the countervailing duties on the part of Great Britain will not compensate us for allowing them a participation in our import trade. The duties on most of the articles imported into Great Britain from America are so low, that the addition of ten per cent. will not enable them to enter into competition with vessels enjoying the advantages of the return freights; but should the acts of 1790 be repealed, the ships of Great Britain will be permitted to bring to the United States the products and manufactures of all countries, whilst

by the operation of their navigation act we shall be restricted in our trade to that nation, to the carriage of goods, the growth or manufacture of our own country only. Nor will a repeal of the act alluded to give to Great Britain alone the advantages we have mentioned; they will be enjoyed by other nations, whose vessels will be allowed all the privileges of American built ships, without an equivalent on their part.

Your memorialists believe, that laws for the protection of American built vessels, owned by American citizens, are equally advantageous to the agricultural, manufacturing and commercial interests. Placed at a great distance from Europe, we may hope we shall seldom be involved in the wars which so often afflict that portion of the globe, and our experience for several years past demonstrates the advantages enjoyed by a neutral nation, possessing the means of exporting its own merchandize in its own vessels.

Believing that a repeal of the laws before mentioned will discourage ship-building, deprive our country of the profits at present derived from the employment of American vessels, and again make us dependent on foreign nations for the exportation of the products of our soil, your memorialists pray that the said laws may not be repealed.

[*Presented January* 24, 1803.]

TO THE HON. THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES THE MEMORIAL OF THE CHAMBER OF COMMERCE OF THE CITY OF NEW YORK, RESPECTFULLY SHEWS,

That your memorialists view with much alarm the renewal of an attempt to repeal the acts making discrimination between American and foreign duties on imports and tonnage, and pray leave to submit to the consideration of Congress the following objections:

1st, It will diminish the revenue to an amount, which, taking past years as the guide, would not be less than 450,000 dollars per annum.

2dly, It will essentially injure the commerce of the United States, as its effect will be by opening the market for freight to the lowest bidder, to shift the carrying trade from the hands of our own merchants into those of foreigners. This, your memorialists believe, will appear from the following considerations:

1st, Foreigners build their vessels much cheaper than we can do. From actual calculation, it is found that a vessel, built of European oak, and equal to those built of our live oak, (which besides is nearly exhausted) costs, when equipped for sea, at the rate of 86 stivers 25 cents, per ton; and if built in Finland, of their fir, of which they have abundance, equal in duration to our common oak, and fitted for sea in the same manner, she will cost at the rate of 19 stivers per ton; while the American vessels, built of our common oak, and not so well equipped, will cost at the rate of from 40 stivers to 45 stivers per ton; but if built of live oak and cedar, she will cost at the rate of from 50 stivers to 55l. per ton.

2dly, The materials composing equipment, such as iron, hemp, sail cloth, &c. &c. are all cheaper abroad than they are here, and the price of labour for working them is supposed to be 50 per cent. less there than in the United States.

3dly, Foreigners navigate cheaper. Seamen's wages are lower, and many of their crews consist of apprentices without wages. The apprentice act of Great Britain renders it incumbent on every owner or master of a vessel to take with him a certain number of apprentices, and this they find so advantageous, that they frequently double or treble that number; more especially vessels from the north of England. Every merchant engaged in commerce knows that the Hollanders, Hamburghers, Danes, Swedes, &c. &c. man their vessels with a still greater proportion of apprentices; and in the cheapness of their living, cloathing, &c. &c. they have a very material advantage over the vessels of the United States.

Thus it appears that foreigners can build cheaper, and sail their vessels cheaper than we can; and it may be added, that Europeans are generally satisfied with a less gain than the American merchant can afford to receive.

Lastly, Although it has been said, that for us to meet the advance on the part of Great Britain, and to repeal our countervailing acts, would place the two nations on an equal footing, yet your memorialists conceive, that while Great Britain retains her present navigation act, this would be very wide of the truth. We on our part should thus permit Great Britain to bring hither not only goods the growth or manufacture of that country, but of all others, while on her part, by the navigation act we have just referred to, we shall be expressly confined to the carriage of goods, the growth or manufacture of the United States. To this may be added, that British vessels would then bring a cargo from their own country to this, take a freight here to their colonies, where our vessels are not admitted, and from thence a third freight home, making thus three freights in one voyage. The value of the importation cargoes is so much greater than the value of our exportation dutiable cargoes, that the extra duties paid by the foreigner are, in many cases, equal, and in some cases more than equal, to the whole freight; so that the acts which are now proposed to be abolished, operate nearly as a prohibition to the foreigner, and leave us, in a manner, without competitors in our own market.

After all that has been said, it hardly needs to be added, that if our ports are thrown open to foreign, on the same terms with our own, vessels, as by this repeal is contemplated, (for it is in vain to attempt to confine the measure to the British,) they will croud our wharves, undersbid our freight, monopolize the markets, and

and leave the American vessels idly to rot in our docks. Your memorialists have, therefore, no hesitation in declaring, that in their opinion this measure will be a fatal blow to the American carrying trade.

It would be easy to show in the detail that this would in its consequences prove extremely injurious to the agricultural and the mechanical classes of our citizens. A few general observations only will be indulged.

1st, As to the agricultural.—Although, generally speaking, freight is paid by the consumer, and therefore it may be said it is immaterial to the farmer how high or how low it may be, yet this is not the case when the demand ceases or slackens; it then falls back on the husbandman. But to transfer our carrying trade to foreigners, will be to lessen very much the chance of the demand. The active enterprize of the American merchant is constantly looking abroad to every part of the world for a market, and if it is any where to be found, or if there is only a reasonable presumption that it may be found, the farmer meets with a ready vent for his produce. Perhaps the calculations of the merchant may be disappointed, and he even ruined; yet the misfortune reaches not the farmer, he has the same benefit of a good market. But should the American vessels once disappear, he must then lie entirely at the mercy of chance-adventurers for a market; and when the demand is not very great, the price of the freight will be deducted from the article itself. All this must necessarily tend essentially to lessen the value of the farmer's produce.

2dly, As to the mechanics.—That numerous class of mechanics, who are connected with ship-building, the carpenter, the blacksmith, the sail-maker, the rope-maker, &c. &c. will of course be deprived of employment; their labour will neither be wanted nor paid for.

To conclude.—Our ships being thus banished from our shores, we shall no longer furnish a nursery for our seamen, but that valuable class of citizens will be driven to seek for their bread in other countries, and in any future European wars which may happen, and which are constantly liable to happen, we shall find ourselves without seamen or ships to avail ourselves of that neutral position, which reflection and experience equally warrant us in calculating upon, as one of the blessings allied to our remote and secure situation.

On the whole, your memorialists cannot refrain from expressing the belief with which they are strongly impressed, that to repeal the discriminating laws which have operated so happily to increase our navigation and commerce, would be a measure highly prejudicial to various and important interests in the community, detrimental to the revenues of the country, and in a national point of view, extremely impolitic. They therefore pray that the repeal may not take place.

ON THE CULTIVATION AND MANUFACTURE OF COTTON IN AMERICA.

[The following Essay was originally published in the Philadelphia Aurora. The author clearly points out the propriety of establishing some branches of manufacture in the United States, for the consumption of part of the staple commodities of the country. After a comparison of all the different branches which may be pursued, he gives the preference to that of *Cotton*, which, from various causes, he proves might be carried on with great advantage to America.]

TO THE GOVERNMENTS OF THE UNITED STATES OF AMERICA.

Enquiries which respect the internal economy of our country are of a peculiar importance to a nation without transmarine dominions, and which was born and educated under the instructions and regimen of an European parent. It was not 'till after the lapse of fourteen years from the period of separation, that we became united in that system of civil polity (different from every ancient or modern plan) which we enjoy at this time.—It was not till after a longer term that we freed the American mind from the influences of the principles of the ecclesiastical *establishments and institutions*, which predominate in fact or by law in the three kingdoms, in union with which we commenced our being. The commercial spirit of those kingdoms passed over to us, occasioned our eyes to be long shut to the important truth, that *the agricultural interest* was the most important in our country. Blinded by the same cause, we did not perceive that we were capable of the useful arts and trades, though necessary and profitable manufactures had grown up among us as spontaneously as the trees of our forests.

America has ever profited by deliberate and calm self-examination, and no disquisitions have tended more to her honour and prosperity than those, which have been calculated to produce a conduct grounded on *the nature and circumstances of things at home.*

It is now seventeen years since the course of those enquiries led us to enter upon the subject of the MANUFACTURING BRANCHES *of trade*, in more form and with as much zeal as at any former period. The advancement of the manufactures of *the instruments of defence*, of paper, books, maps, prints, and other things instrumental to useful knowledge and science, of household fabrics, of the implements of agriculture, navigation, and the useful trades, of every description of furniture and carriages, of sugar, snuff and tobacco, of malt and spirituous liquors, &c. &c. evince the beneficial consequences.

The object of this address is to pursue *domestic enquiry*—to pursue it in relation to *home manufactures*—to pursue it *with a view to the adoption (perhaps) of a new principle of public conduct.* To this end a quesuon is proposed to be respectfully submitted to the federal and state governments.

" *Whether the United States may not safely*
" *and profitably make an experiment of well*
" *devised and complete encouragements to some*
" *one branch of American manufactures*; *and*
" *what that branch should be?*"

Many of the most early and zealous friends of American manufactures have hitherto refrained from suggesting that the productions of our domestic arts and trades should be *generally* encouraged by high duties on the importation of foreign rival goods. They have feared to impede *the improvements of the country* by excessive duties on foreign articles used in building houses, stores, mills, &c. They have feared to impede *the progress of knowledge* by excessive duties on foreign books, and the instruments of science. They have feared to burthen *the poor, the young beginners, the industrious, and the great mass of the people*, by excessive duties on foreign manufactured goods, *for their clothing, furniture, and general consumption.* The best friends of American manufactures have feared that high *general* duties might embarrass or derange our finances and public credit, by affecting fair and free importation. They have prudently respected the doubts of many of our fellow-citizens about our *interest in manufactures*, and *our abilities to produce them.* They have been uncertain about the acquisition of foreign machinery, manufacturing secrets, and artizans. They have seen the possibility that foreign trade laws might be so framed as entirely to prevent the importation of the *properest* raw materials. They have feared that too many of our farmers might be diverted from agriculture to manufactures. Other objections have occurred, and the moderation, prudence, and candour of the friends of American manufactures have chearfully yielded to every reasonable doubt, and to every fair argument, in its full weight.

It has happened, however, that *for the mere purposes of revenue*, an impost has been laid upon all foreign rival *manufactures.* This impost has been gradually increased from 5 to 7 1-2 10 and 12 1-2 per cent. which last is, at this time, the lowest rate of duty. It is also true, that *for the proper and declared encouragement of certain manufactures*, additions to the lowest rate of duty have been made of 2 1-2, 5, and 7 1-2 per cent. so that various American manufactures are encouraged by duties on the *foreign rival* commodities of 2 1-2, 15, 17 1-2 and 20 per cent. Besides these, there are import duties upon particular articles, which are at higher rates. The duties, for example, of 8 cents per gallon, on all *fermented* malt liquors, and 20 cents per gallon on *distilled* grain; spirits 6 1-2 to 9 cents per *lb.* on refined sugars; 50 cents per *doz.* on wool and cotton cards; 400 cents per *cwt.* on the twine and pack-threads; 25 cents per pair on shoes; 2 cents per *lb.* on soap and candles; 10 cents and 22 cents per *lb.* on manufactured tobacco and snuff, &c. &c.

Under these gradual, moderate and prudent encouragements commenced by the States before 1789, and pursued since by the federal government, a scene of *domestic* manufactures, reflecting honour upon the internal economy of the United States, and greatly redounding to their benefit, has imperceptibly arisen. We hazard once more a revised sketch of them, and upon *mature reflection*, we are not disposed to doubt the correctness *of the interesting sum total.*

An attempt to estimate certain American manufactures.

Refined sugar, of all kinds, - *Dollars*	1,000,000
Shoemakers' manufactures, - -	8,000,000
Hatters' ditto, - - - -	1,225,000
Carriages for *pleasure*, including repairs within the year, - - -	500,000
Carriages for *work*, including like repairs,	500,000
All leathern goods, exclusive of shoes, boots, slippers, and carriage leather,	1,000,000
Cabinet work of all kinds, framing pictures, and compositions, - -	1,000,000
Gold and silver plate and wares, and set and fancy work, - - -	500,000
The *whole* of our *iron* manufactures, including farming implements, cannon, muskets, steel, &c. - - -	4,000,000
The *whole* of our *hemp, flax, cotton, hair, wool, and silk, which are manufactured*, exclusive of hats, - - -	20,000,000
Beer, ale, and porter, - - -	500,000
Distilled spirits, 10,000,000 gallons from molasses, grain, fruit, &c. - -	5,000,000
Coppersmith's work, lead, pewter, and brass wares, - - - - -	500,000
Timmans' ditto, - - - -	200,000
Coopers' wares, oak, pine, cedar, &c. for *home use*, and for our *exports*,	1,000,000
Ships, boats, and oars, &c. including repairs, - - - - - -	3,000,000
Earthen, glass, and stone wares, -	350,000
Windsor chairs, settees, and painted, gilt, and varnished ditto, - -	100,000
Horn, ivory, and whalebone manufactures, - - - - - -	10,000
Starch, hair-powder, wafers and glue,	50,000
Soap and candles, - - -	300,000
Wire-work, including cotton and wool cards, - - - - -	50,000
Wheel-barrows, hand ditto, corn fans, plane stocks, machinery, &c. -	50,000
Paper making, including hangings,	500,000
Gunpowder, - - - -	500,000
Book printing, binding, and engraving,	1,000,000
Dollars	50,835,000

It is not believed that any item in the preceding estimate materially exceeds the truth, and we are *confident* that if all unnoticed branches were added, it would be impossible to reduce the total sum below fifty millions of dollars.

If the list shall be carefully examined it will be found that these manufactures give a *vast*—an *immense* support to our planters, farmers, freeholders, and fishermen, by the demand for our country and fishing produce, and for buildings, and that some of them are highly favour-

able

able to the American ship owners, by employing imported molasses, sugars, skins, woods, dyes, metals, hemp, flax, wool, tallow, and other raw materials and ingredients.

Are we prepared to sacrifice *this noble encreasing branch of American industry?*—Will we suffer ourselves to neglect it for a moment? Will we not rather continue prudently to nurse, to foster, and to encourage the useful arts and manufactures? There can be but one opinion—one reply. But it ought to be the unanimous endeavour to promote American manufactures *with as much deliberation and prudence* as effect. Let us take care not to disturb our *necessary* revenues, not to derange our *well ordered* finances, not to impose *unreasonable* burdens on the consumer, not to attempt manifest *impracticabilities*, not to impede our *young* improvements, and not to aim at *too much* by touching the subject with strong alternatives at *too many points*.

We cannot at this crisis encourage, by additional, encreasing and prohibitory duties, *all* American manufactures, without producing most of the evils we have held up, in candid prudence, in this investigation. It is not meant therefore to press upon the public consideration, at this moment, any *general measures* to promote American manufactures. It is not intended here to ask *even the consideration* of such measures in favour of any *two* branches; it is merely wished that new and proper protections and encouragement may be *considered* in reference to some *one* single branch. No *material* or *sudden* diminution of our revennes can be produced by higher duties not very slowly encreasing upon a single branch; and no objection to a general forcing of manufactures more deserves to be respected than the possible injuries to our revenue, finances and public credit. These are *never* to be *injured*—*never* to be put at *hazard*. Let them be *for ever* protected by all our prudence, and by perfect good faith. But let us proceed to select, merely by way of example, a single branch of American manufactures, and apply to its discussion our soundest principles and our best reflections.

The cotton manufacture of the United States of America is proposed to be encouraged, extended, protected and established by all the means in our power. Being a *single* branch of manufacture, it cannot put any large sum of *present* revenue at hazard. The amount of cotton goods imported is very far inferior to that of the *woollen* goods imported; it is also supposed to be considerably inferior to the value of the linen goods imported. The iron goods imported are likewise greater in value; the duties on foreign liquors, and foreign sugars are much greater. As therefore the present duties on cotton goods are not even of *secondary* consequence in our scale of revenue, *gradual* diminution of that part of the revenue could not sensibly affect our resources. As the revenue from no *single* article can derange our treasury business, so this particular revenue (from foreign cotton goods) cannot from its moderation be even felt; but if we raise the duty on such goods from 12 or 15 to 20 or 25 per cent. the first year, the *extra* duty on a *less* quantity imported may yield nearly an equal revenue. It is respectfully submitted, whether these considerations do not obviate the objections, justly urged at this time, against the dangers of *universal* high protecting duties destroying or deranging our *impost revenue*.

The vast extent of country which will produce cotton, is a serious consideration to induce a selection of it for extraordinary encouragement. From the southern boundary to the fortieth degree of north latitude, cotton has certainly been produced. It may therefore prove to be worthy of the attention of all our citizens, living south of a line drawn from Tom's river, through Philadelphia and Pittsburg; and this invaluable plant does not refuse its increase in light, weak and stony soils.

The manufacture of cotton merits the universal consideration of the American people, because it will render cotton-wool a permanent staple article of agriculture and trade; and, by fixing it for ever upon that footing, will make an important addition to the variety of American commodities, and of course to the stability of their prices. If all our countrymen were employed in raising rice, tobacco, wheat, and cattle, those commodities would often be distressingly low from their redundance; but if half the states shall raise tens of millions of cotton, then will our wheat, cattle, &c. support much better prices.

As the cotton manufacture is effected more than any other by labour, saving machines, it is freer from the objection of the dearness of labour than any other; and it is perfectly clear, that the dearness of labour is an argument for any labour-saving plan.

As there are very few of our native citizens who understand the cotton manufacture by machines, the promotion of this branch will not divert many of our farmers from agriculture.

We have an unlimited command of the powers of steam, horses, draught oxen and water, to move our cotton machines and mills.

We have lately disengaged the powers of the earth to produce cotton, by the discovery and extensive use of a variety of mills and machines, to free the cotton-wool from the cotton-seed. Fifty thousand dollars have been granted by a single state to purchase the patent right of a cotton-ginning or cleaning machine within its own jurisdiction. This fact does honour to the wisdom, spirit and fairness of South Carolina.——We have obtained and possess the common hand spinning jenny, which makes by one person, male or female, from 40 to 120 cotton threads at one time; also the carding machine to go by hand, horse, ox, or water; also the roving machine, to reduce cotton wool into ropes or yards of the size of a goose quill; also

also the mule, spinning by hand 120 fine threads; also the water-spinning machinery of Arkwright, to spin perpetually at any mill seat. We also possess the machinery for doubling and twisting thread, for hosiery, and the British and German stocking-weaver's looms, for making every article of hosiery, from feet-socks to pantaloons.

There have arrived in the United States from Europe, a very considerable number of engine and machine makers, carders, spinners, rovers, twisters, weavers, callico-printers, dyers, &c. ready to work on wages as moderate as they received in Great Britain, Ireland, and other parts of Europe. These persons want employment in their own proper lines of business. Every man among them who succeeds in this country, will induce others to follow him. There are important and unalterable circumstances in the United States to draw men to us, who are acquainted with every useful art and manufacture. Some of the most obvious of these are, perfect religious liberty; a sober equality of civil rights; the cheap and easy acquisition of freehold estates for residence, manufactories, and farms; the cheapness of government, and consequent moderation of taxes; the rare phenomenon of a voluntary executive and legislative reduction and abolition of duties and excises; the non-existence of tythes, excises, and national land-tax; the perfect security of property; the uniform success of numerous well intentional emigrants, and particularly from Great Britain and Ireland, Germany, France, Holland, Switzerland, and Sweden. It is impossible to conceive, that there can be any miscalculation, in confidently relying upon every necessary acquisition of the aid of foreign artists to conduct the American cotton manufactory, if it shall be vigorously and effectually encouraged by law, when we remember the great numbers of useful and able men, who have come to us from foreign countries, as ministers of religion, instructors of the rising generation, agriculturists, lawyers, physicians, merchants, land and sea officers, manufacturers, mechanics, journeymen, mariners, and labourers in every line. If we have had such extensive advantages in procuring valuable foreign emigrants, who have been completely successful in branches not connected with labour saving machinery, can we doubt much more rapid and great success in branches, where the saving of labour by the ingenuity and skill of one thousand hands will yield them and us the benefits of ten thousand?

It is favourable to an attempt to establish the cotton manufacture, that a large proportion of the foreign cotton goods, which we import, are dyed, stained, printed, or in some way coloured; because, indigo, woad, madden, various barks, and other dye-stuffs are produced in the United States; and other dye-stuffs, which we do not produce, are daily imported from foreign countries, and reshipt from hence to other foreign parts.

In ancient Greece and Macedonia, now enslaved provinces of European Turkey, twenty thousand bales of cotton-wool, each weighing three hundred pounds, are spun annually into yarns or threads, and dyed with their own vermillion. The Greek and Macedonian women use neither the great nor the small spinning-wheel, nor the jenny, the mule, the water spinning machinery, nor the carding nor roving machinery. They use only the spindle, without any addition. It is impossible then to doubt, that these states must succeed in the manufacture of their own cotton, with the powerful and various aids of the modern European labour-saving machinery, to card, rove, spin, and twist. With such aids, and with all our other means and advantages, we cannot fail to succeed in a business, in which the unhappy subjects of the civil and religious despotism of Turkey have, for a series of years, done so much for domestic and foreign consumption.

There is an important reason for promoting our own cotton manufactures, arising out of the present circumstances of the East Indies. We receive from thence great quantities of cotton goods, which are not (as the manufactures of Great Britain) made out of our own cotton. The use of those East India cotton goods is doubly injurious: first, because we do not manufacture them; and, secondly, because we do not produce the cotton of which they are made. Though those ports of India belong to Great Britain, the parliament has absolutely prohibited the consumption of their cotton manufactures in Britain and Ireland. Those goods, of course, come to us in much greater quantities to rival the foreign and domestic manufacturers of our cotton. If we were to refuse or burden the importation, the British East Indian would extend the cultivation of sugar, coffee, cocoa, ginger, spices, pimento, arnatto, and other things adapted to their climate, which we consume and do not ourselves produce.—They would manufacture more silks, more saltpetre, and other fabrics, which we might require and admit, because they do not injure our agriculture, nor interfere with our cautious, but steady and unceasing endeavours to establish the American manufacture of cotton goods.

It is obvious to every man of correct information relative to the four original eastern states, that they are in a very serious situation as to wood and fuel. Their buildings are very generally of wood, and require large quantities of boards, scantling, and logs to keep them in repair.—Much wood is also wanted for new buildings, old and new fences, ships and boats, casks for their fish, pot ash, spirits, beef, pork, molasses, &c. and for the household fuel and workman's-fuel. Their population is great and increasing. They have no mines of coal. The coal mines of the east are all in the hands of the British colonists. On those facts an important suggestion is respectfully submitted to the

the consideration of the people of the states east of the ship channel of the Hudson; that in every system of measures to promote the domestic or internal industry of those states, endeavours should be made to avoid new calls for wood and fuel of every kind. This suggestion is of a deeper intrinsic importance than may appear, at first view, to those to whom it is new. We will offer, as two examples, the British manufactures of iron, and the British manufactures of cotton. We believe that the permanent and extensive establishment of the British manufactures of iron, in the states east of the parts of the Hudson navigable by ships, would prove very difficult from the total want of mines, pit or fossil coal, from the scarcity of wood for making charcoal, from the great scarcity of peat and turf there, and from the scarcity of wood for fuel and buildings. But we believe, that the very small use of fuel in the cotton manufacture itself, and the limited use of fuel by the people in that branch, which, effected by machinery, requires little fire to warm the small proportion of persons employed, are circumstances plainly and greatly in favour of the adoption of the cotton branch in the eastern parts of the United States. It is certain, that wood is become extremely scarce in all the old counties east of Hudson's river, and that not one productive coal-mine has been discovered between the Delaware river and the eastern boundary of the United States. The wood and timber of Maine are consuming with great rapidity, and since freights are reduced by peace, will go forth in immense quantities. It is so distant from Connecticut, Rhode Island and Providence, and Massachusetts proper, that it will become a dear, as well as a mere temporary source of supply to them for timber and fuel, if manufactures by fire employing numerous persons, who must be kept warm in a moist and cold climate, are to be extensively and permanently pursued. The true manufacturing policy of our eastern states is to carry to the utmost all household manufactures, and establish factories by labour, saving machinery at the heads of their ship or boat navigation, where they can derive the highest possible degree of benefit of their own wood and fuel, and of wood and fuel imported coastwise or from foreign ports. Cotton it will be found, therefore, is the properest raw material for them to employ. The same remarks apply to New Jersey and Delaware in full force.

If the north-eastern moiety of the United States shall forthwith establish extensive and profitable manufactures employing cotton, which can be raised in immense quantities in the southern states, it will bind the members of our union more and more together. To defend, promote, and preserve our union, is the fondest object of every faithful heart, native or foreign, which partakes in the numerous blessings of our country.

It is beyond a doubt, that the use of cotton cloth for the under garments of man, next to the skin, contributes greatly to health in damp, chilly, and cold climates. In this view shirting, sheeting, and hosiery of cotton would prove far more salubrious than of flax, in certain seasons, in every quarter of America, and particularly in the parts east of the Hudson.

Every extensive manufactory that depends on a foreign raw material, is extremely precarious, because foreign laws, treaties, and wars may diminish or prevent the importation. But as cotton is raised by ourselves, and will ever be redundant, the cotton manufacture will rest upon a more certain foundation than a manufacture which should employ any other raw material whatever.

The variety of fabrics, to the making of which cotton can be applied, is a very important consideration in favour of attempting the cotton manufacture, in preference to any other. The stoutest and the coarsest blankets can be made of the refuse cotton, and cambric muslins, of the most exquisite fineness, can also be made of cotton; the most beautiful table-cloths and napkins, and coarse carpets; the stoutest corduroys, and muslins light as air; dimities, Marseilles-quilting, shirting, sheeting, tickings, pillow-cases, jeans, jeanets, fustians, denims, cottonades, fine and coarse hosiery for every age and sex, pantaloons, vests, mock cassimers, mock serges, mock coating, mock cloths, neck and pocket handkerchiefs, lining and pocketings, dress and undress, and chamber gowns, bed and window curtains, furniture covers, cravats, swansdowns, mole-skins, plushes, velvets, and in short various goods applicable, as usual, to every purpose, or as substitutes for other fabrics heretofore made of wool, hemp, flax, silk, and hair. Such is the unlimited capacity of the native North American raw material, whose future manufacture, under the protection of our government, we earnestly and respectfully recommend to the immediate consideration of all our public authorities.

A FRIEND OF AGRICULTURE.

Table of the Number of Bankruptcies, from January to June 1803, inclusive.

Jan.	Feb.	Mar.	April.	May.	June.	Total.
58	79	61	56	90	73	417

Table of the Prices of the Three per Cent. Consols, from January to June 1803, inclusive.

Day.	Jan.	Feb.	Mar.	April.	May.	June.
1	—	70 5/8	71 1/2	63	—	59 1/2
2	—	—	71 1/2	63 1/2	63 5/8	59 3/8
3	73 3/8	70 1/8	71 1/2	—	65 1/2	59 1/2
4	73 1/8	70 1/2	71 1/2	62	63 3/4	—
5	73 1/4	70 1/2	71 5/8	61 1/4	73	—
6	—	—	—	62 1/2	62 1/4	59 3/8
7	72 7/8	70 3/8	71 1/2	62 1/4	63 1/4	59 7/8
8	73 1/2	70 1/8	70	—	—	59 1/4
9	—	70 1/4	64 3/8	62 3/4	65 1/4	58 7/8
10	73 1/8	70 1/4	63 1/2	—	63 5/8	59 1/2
11	72 5/8	70 1/8	62 1/2	—	63 5/8	59 1/2
12	73	70 1/8	62	—	64 3/8	—
13	72 1/2	—	—	62 3/8	65 1/2	60 1/2
14	72 1/4	70 1/2	63 3/8	63 1/2	65 1/2	58 1/2
15	72 1/8	71 1/8	62 1/8	64 1/2	—	57 1/4
16	—	71 1/2	64	64 3/8	60 3/8	57 5/8
17	71 7/8	71 1/2	66 1/4	—	59 1/8	58 1/2
18	71 5/8	71 5/8	65 1/8	64 1/2	59 1/4	57 3/4
19	71 7/8	71 5/8	64 3/8	66	60	—
20	72 1/4	—	—	66 3/8	59 3/8	57 1/2
21	70 1/2	71 1/2	65 3/8	67 1/4	59 1/4	57 7/8
22	70 7/8	71 1/4	64 3/8	66 1/4	—	57 3/4
23	—	71 1/2	64 1/4	64 1/2	58 1/2	57 3/4
24	70 5/8	72 1/8	64 1/2	—	57 1/2	—
25	70 5/8	71 1/2	63 3/8	65	57 1/4	57 5/8
26	70 3/4	71	63 3/4	65 7/8	58 1/8	—
27	70 1/2	—	—	66	57 1/2	57 1/8
28	70 5/8	71 1/8	65 1/8	65 1/8	59 3/4	57 1/8
29	71		64	64 3/4	—	—
30	—		63 1/2	62 1/2	—	57 3/4
31	—		61 1/4		—	

Table of the Prices of the French Five per Cent. Consolidés, from January to June 1803, inclusive.

Day.	Jan.	Feb.	March.	April.	May.	June.
1	—	58 10	63 80	51 25	—	48
2	—	58 80	64 60	52 25	53 20	48 25
3	56 65	59 40	65 20	—	53 25	48 25
4	56 50	58 60	66 60	52 30	53 10	48 75
5	—	58 85	64 75	54	—	—
6	56 20	—	—	56 25	54 25	49 25
7	56 10	—	—	55 70	54 75	48 25
8	56	58 90	—	55 10	—	48 10
9	—	58 60	—	54 90	54 35	48 50
10	56	58 85	61 25	—	53 40	49
11	—	58 80	61 60	54 65	53 20	—
12	56 30	58 80	—	54 60	52 30	—
13	56 20	—	—	54 40	51 30	49 50
14	56 40	58 95	—	54	52 65	49 35
15	56 40	59 05	—	54 20	—	49 10
16	—	—	58 50	53 80	52 60	48 80
17	56 75	59 70	59	—	52 20	48 90
18	56 90	59 90	—	52 85	51 80	—
19	57	—	59	53 60	—	48 90
20	57	—	—	53 70	—	—
21	57	—	59	53 60	50 10	48 90
22	56 95	60 60	57	53 40	—	49 90
23	—	61	55 90	54	—	49 50
24	57 15	—	55 60	—	—	—
25	57 30	62 65	55	54 10	—	49 80
26	57 20	63	54 80	54 10	—	—
27	57 25	—	—	53 80	47 80	49 80
28	—	64	54 30	53 85	48 50	49 85
29	57 70		53 60	53 50	—	49 50
30	—		52 75	53 40	—	50 35
31	57 75		52 25		47 80	

Table of the Number of Christenings and Burials within the Bills of Mortality, from January to June 1803, inclusive.

Epochs.	Christened.		Buried.											Total buried.	
	Males.	Females.	under 2.	2 to 5.	5 to 10.	10 to 20.	20 to 30.	30 to 40.	40 to 50.	50 to 60.	60 to 70.	70 to 80.	80 to 90.	90 to 100.	Males.	Females.
Jan.	779	694	411	190	80	40	91	137	164	152	124	67	37	7	760	740
Feb.	794	678	447	187	81	42	109	172	216	185	145	89	40	6	835	884
March	1031	963	575	228	95	85	203	296	335	322	274	182	82	11	1356	1332
April	976	1097	315	166	59	42	100	149	224	189	152	114	43	6	817	853
May	759	728	335	131	52	27	104	143	150	134	112	77	36	3	651	653
June	1049	902	385	151	53	44	111	181	200	175	116	83	49	5	800	756
	3852	5062	2168	1053	420	280	718	1078	1289	1157	923	612	287	38	5219	5218
Tot. christ. 10,400														Total buried 10,437		

Table of the Prices of the Quartern Loaf, from January to June 1803, inclusive.

Jan.		Feb		Mar.		Apr.		May.		June.	
Day.	Price.	Day.	Price.	Day.	Price.	Day.	Price.	Day.	Price.	Day.	Price.
	d.		d.		d.		d.		d.		d.
4	9 1/2	1	9 1/2	1	9	5	9 1/2	3	9	7	9 3/4
11	9 1/2	8	9 1/4	8	9 1/2	12	9 1/4	10	9	14	9 3/4
18	9 1/2	15	9 1/2	15	9 1/2	19	9	17	9	21	9 1/2
25	9 1/2	22	,	22	9 1/2	26	9	24	9 1/2	28	9 1/2
				29	9 1/2			31	9 1/2		

Table of the Prices of Meat and Sugar, from January to June 1803, inclusive.

	Jan.		Feb.		March.		April.		May.		June.		per stone of 8lb. to sink the offal.
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d	
Beef	4	9	5	6	4	9	5	1	5	6	5	7	
Mutton	5	6	5	10	5	6	5	6	5	10	5	10	
Pork	5	1	5	4	4	6	4	10	5	4	5	3	
Sugar	37	0 1/4	40	0 1/2	39	7 1/4	41	7 1/4	46	7	48	5 1/2	per cwt.

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